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ABSTRACT

This document is a compilation of legislation on issues critical to children and families enacted during 1997 by the 50 states and the District of Columbia. The laws pertaining to various issues are listed by state and briefly described. Issues are: (1) abuse and neglect (including background checks and screening, court procedures, financing, legal representation, prevention, treatment, training, reporting, sexual abuse and exploitation, and sexual offenders' registries); (2) child care and early childhood education (including administration, financing, regulation, and licensing); (3) child welfare (including administration, adoption, family preservation, out-of-home placement, and termination of parental rights); (4) family law (including custody, visitation, and divorce); (5) general issues such as administration, family support, and interagency coordination; (6) juvenile justice (including administration, penalties, financing procedures, and records); (7) substance abuse and control (including administration, detection, license revocation, penalties, and prevention); (8) welfare reform and public assistance (including eligibility and benefit levels, fraud, and minor parents); and (9) youth at risk (including missing and runaway children, and school policies and truancy). (HTH)

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Children, Youth and Family Issues

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1997 State Legislative Summary

National Conference of State Legislatures

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1997 STATE LEGISLATIVE SUMMARY

Children, Youth and Family Issues

A publication of the
Children and Families Program

National Conference of State Legislatures
William T. Pound, Executive Director

1560 Broadway, Suite 700
Denver, Colorado 80202

444 North Capitol Street, N.W., Suite 515
Washington, D.C. 20001

February 1998

The National Conference of State Legislatures serves the legislators and staffs of the nation's 50 states, its commonwealths, and territories. NCSL is a bipartisan organization with three objectives:

- To improve the quality and effectiveness of state legislatures,
- To foster interstate communication and cooperation,
- To ensure states a strong cohesive voice in the federal system.

The Conference operates from offices in Denver, Colorado, and Washington, D.C.

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FOREWORD

The Children and Families Program within the National Conference of State Legislatures is dedicated to providing policymakers with information that is critical to bettering the lives of America's families. The *1997 State Legislative Summary: Children, Youth and Family Issues* is one of the many products and services the program offers.

Published annually since 1983, this book is a compilation of summaries of newly enacted state legislation affecting children and families. It documents legislative activity, emerging trends and innovative policies in the states, information essential to effective policymaking.

As public concern heightens regarding the nation's primary domestic problems—child abuse, juvenile delinquency, health and poverty—lawmakers are recognizing that families play a key role in ameliorating and preventing some of these societal ills. They are examining ways to craft public policy to strengthen and support families and protect all children, particularly our most vulnerable. Welfare reform and child support are drawing increased attention as states respond to federal reforms.

The summaries profile state innovations. Citations necessary for further, more in-depth research also are provided to assist legislators and legislative staff who are working in these policy areas.

In addition to the annual legislative summary, the Children and Families Program offers a variety of other publications, research and technical assistance to state legislators and their staff. We encourage constituents to contact the Denver office staff at (303) 830-2200 for a publications list or additional information.

Representative Dennis Arakaki, Hawaii
Chair
Children, Families and Health Committee
Assembly on State Issues

Rebecca Lennahan, Colorado
Staff Chair
Children, Families and Health Committee
Assembly on State Issues

ACKNOWLEDGMENTS

The *1997 Legislative Summary* is a cooperative effort of the states and the Children and Families Program at the National Conference of State Legislatures. The program staff gratefully acknowledge and appreciate the assistance of all legislative staff contacts, for without their efforts and thoroughness, this compilation of enacted legislation would not be possible.

The publication of this book is supported by the Annie E. Casey Foundation, the Welfare Information Network, the Carnegie Corporation of New York, the Edna McConnell Clark Foundation, the Charles Stewart Mott Foundation, the Office of Juvenile Justice and Delinquency Prevention, The Pew Charitable Trusts, and NCSL.

The following Children and Families Program staff worked on the publication: Steve Christian, Mary Fairchild, Scott Groginsky, Barbara Houlik, Laurie McConnell, Dana Reichert, Addie Romero, Jack Tweedie, Nina Williams-Mbengue and Adelia Yee. Addie Romero served as project coordinator.

The cover was designed by Todd Romero. The publication was edited by Leann Stelzer.

Jay Kroshus, Julie Poppe, Susan Robison and Kathy Rollins served as a consultants.

THE NCSL CHILDREN AND FAMILIES PROGRAM

NCSL's Children and Families program provides services to legislators and staff who are working to improve state policies that affect children and their families. The program tracks legislation, provides research and offers policy analysis, consultation and technical assistance specifically geared to the legislative audience. The following services are available at no cost to legislators and staff:

- Research assistance
- Information
- On-Line information
- Technical assistance
- Publications
- Human Services Discussion Group

An e-mail discussion list—currently focusing on welfare issues—is available to help communicate with NCSL staff and colleagues in other states. After signing up, you can ask questions or provide information from your state to NCSL staff and other legislators and staff who have also subscribed to the list—HumanServices-L. Messages are sent and delivered to you via your Internet e-mail address. Remember that all messages are available to all other subscribers and participation is limited to legislators, legislative staff and NCSL staff. To subscribe, send an e-mail to dana.reichert@ncsl.org. Give your name, position, voice phone number and e-mail address. The service will normally be available to you within two working days of your request.

Web pages provide a convenient and powerful means for circulating reports and analyses as well as announcing meetings and other developments. The Children and Families Program maintains a home page dedicated to providing information about the topics related to children and families. The Children and Families Home Page is located at http://www.ncsl.org/public/cfh.htm. In addition, NCSL has set up a separate welfare area as part of its Web site. The welfare page contains information about federal and state actions, summaries of innovative state legislation, evaluations of welfare-to-work programs, analyses of other welfare reform issues and links to other Web sites on welfare. The welfare area can be accessed at http://www.ncsl.org/statefed/welfare/welfare.htm.

Technical assistance includes testimony at committee hearings, briefing sessions for state legislators and their staffs, and bill drafting and analysis. Resources and expertise are provided by program staff, national experts and legislators through the following projects.

PROJECT AREAS

Child Care—Funded through grants from The Pew Charitable Trusts, the A.L. Mailman Family Foundation and The Carnegie Corporation of New York, this project assists state legislators to expand and improve good early childhood care and education services with particular emphasis on developing options for low-income populations. As states implement new welfare reform systems, including new child care services, staff can assist policymakers with information and consultation for services. Other issue areas include licensing and regulations, training and support for child care providers, and building the supply of affordable, good child care for all families.

Child Welfare—Funded by the Edna McConnell Clark Foundation, this project assists state legislators to improve state child protective service systems. Nationwide, reports of abused children have increased by 50 percent during the past decade, overwhelming state child protective and child welfare systems. In the wake of the crisis in child protective services (CPS), states are beginning to realize the limitations of making a single state agency solely responsible for protecting children and of using a uniform investigative response to all reports of child maltreatment. NCSL is providing technical assistance to state legislatures that are interested in facilitating active partnerships between CPS agencies and neighborhood-based family support networks and in authorizing flexible responses to abuse reports.

Child Support—With nearly one-fourth of America's children living in single-parent families, child support is more relevant than ever. Funded by a contract with the U.S. Office of Child Support Enforcement, NCSL staff are on hand to provide technical assistance and the most current research information as states struggle to adequately serve this population and meet federal program requirements.

Human Service Reorganization—With funding from the Annie E. Casey Foundation, staff are helping legislators examine and implement effective human service delivery systems. Over the past decade, state legislators have become increasingly concerned about the failure of children and family service systems and their complex and uncoordinated array of services. Contact NCSL to find out how states are implementing reforms of their children and family service systems.

Juvenile Justice—Funded by the Office of Juvenile Justice and Delinquency Prevention, this project helps state legislators explore the causes of juvenile crime and delinquency, craft comprehensive responses to youth crime and examine model prevention approaches. Special emphasis is placed on cross jurisdictional approaches involving human services, children, criminal justice and judiciary committees to develop comprehensive juvenile justice policy. The project is jointly administered through NCSL's Children and Families and Criminal Justice programs.

Welfare Reform—Through grants from the Welfare Information Network (WIN), the U.S. departments of Health and Human Services and Transportation and the Stewart S. Mott Foundation, project staff assist states in implementing welfare reform. State policymakers are transforming welfare from cash assistance to work-based programs, and will be implementing these reforms under the newly established federal Temporary Assistance to Needy Families (TANF) program. Information is available on implementing TANF and key questions such as expanding the supply of jobs, child care, transportation assistance, job training and safety net programs.

For more information, call or write program staff at the National Conference of State Legislatures, 1560 Broadway, Suite 700, Denver, Colorado, 80202; (303) 830 2200; Fax (303) 863-8003. Visit the Children and Families Home Page at http://www.ncsl.org/public/cfh.htm.

- Jack Tweedie, program director— general children and families, welfare
- Steve Christian—child welfare, child care
- Mary Fairchild—juvenile justice, youth at-risk
- Scott Groginsky—child care, early childhood education
- Barbara Houlik—child care, general children and families
- Teresa Klingensmith—child support
- Mari Lucero—child support, juvenile justice
- Nina Williams-Mbengue— child welfare
- Laurie McConnell—child care, early childhood education
- Dana Reichert—welfare
- Addie Romero—child welfare, welfare, human services reform
- Jenifer Vasquez—child support, human services reform
- Adelia Yee—adoption, custody and visitation, juvenile justice

ABBREVIATIONS AND ACRONYMS

AFDC	Aid to Families with Dependent Children
CASA	Court appointed special advocate
CHINS	Children in need of supervision
CINA	Child in need of assistance
CPS	Child Protective Services
CRC	Crisis residential center
DHS	Department of Human Services
DCF	Department of Children and Families
DUI	Driving under the influence
FAIM	Families Achieving Independence in Montana
FINS	Families in need of supervision
FIP	Family Investment Program
FPL	Federal Poverty Level
FPS	Family preservation services
FY	Fiscal year
GAL	Guardian ad litem
GED	General equivalency diploma
HCR	House Concurrent Resolution
HIV	Human immunodeficiency virus
HJR	House Joint Resolution
HR	House Resolution
ICWA	Indian Child Welfare Act
IDA	Individual development account
PINS	Person in need of supervision
PRWORA	Personal Responsibility and Work Opportunity Reconciliation Act
SCR	Senate Concurrent Resolution
SJR	Senate Joint Resolution
SOS	Support Our Students
SR	Senate Resolution
SSI	Supplemental Security Income
STARS	Statewide Temporary Assistance Responsibility System
R & R's	Resource and Referral Agencies
TANF	Temporary Assistance to Needy Families
TBI	Tennessee Bureau of Investigations
TCC	Transitional Child Care

INTRODUCTION

In an ongoing effort to document and track legislative activity on issues critical to children and families, the Children and Families Program of the National Conference of State Legislatures has published an annual state legislative summary for the past 15 years.

This publication is a joint effort between the program and the states. Every year, key legislative staff contacts provide NCSL with the latest enactments affecting children and families. After the bills are summarized, the state contacts review the work for accuracy.

In December the book is distributed to legislative libraries and the chairs of committees that deal with children and family issues. The publication is available for legislative constituents on NCSLnet and to others, in hard copy, through NCSL's marketing department.

For the majority of states the publication includes all current year enactments. However, 10 legislatures—California, the District of Columbia, Illinois, Massachusetts, Michigan, New Jersey, New York, Ohio, Pennsylvania and Wisconsin—hold year-long sessions. Enactments for these states included those signed into law between July 1, 1996, and June 30, 1997.

Kentucky did not hold a regular session in 1997. North Carolina's and Wisconsin's sessions extended beyond our enactments deadline.

NCSL appreciates any suggestions regarding this effort to provide a complete and comprehensive legislative summary. To comment, please call or write to NCSL's Children and Families Program in the NCSL Denver office.

ABUSE AND NEGLECT

Background Checks/Screening

AR *1997 Ark. Acts, Act 1019*
Requires criminal background checks for applicants and employees of state agencies in positions involving contact with children. Lists offenses requiring discharge or disqualification from employment.

AR *1997 Ark. Acts, Act 1041*
Requires that employees, volunteers, foster parents, adoptive parents and others in a child welfare agency be checked for child maltreatment through the central abuse registry and be subjected to a criminal history check.

AR *1997 Ark. Acts, Act 1106*
Sec. 1 Requires only a state criminal background check if a prospective adoptive parent has lived in the state at least six years prior to the adoption.

AR *1997 Ark. Acts, Act 1313*
Sec. 1 Allows the state board of education to revoke or suspend a license on the grounds of nonfelony negligent homicide or a misdemeanor involving physical mistreatment or abuse of a child, or having an expunged conviction for any sexual offense committed against a child.

Sec. 3 Requires that certain applicants for local school district employment undergo a criminal records check.

AR *1997 Ark. Acts, Act 1317*
Requires a criminal background check of applicants for licensure as counselor, social worker, psychologist or psychological examiner. Prohibits licensure of any applicant found guilty of specified crimes, including child abuse.

CT *1997 Conn. Acts, P. A. 259*
Sec. 33, 36 and 38 Require a criminal records check and a child abuse registry check of prospective child care employees and for nonrelative care providers who receive a state subsidy. Prohibits state funding to providers who have been convicted of specified crimes against children. Establishes fees for checks.

CT *1997 Conn. Acts, Act 319*
Sec. 8 Requires disclosure of child protection records pertaining to a subject of an investigation to any state agency that licenses such person to care for children, and to the governor when requested in the course of his official functions.

DE *Vol. 71 Del. Laws, SB 132/170*
Sec. 15 Prohibits operators of health care facilities and child care facilities from hiring anyone without first requesting a child abuse registry check. Specifies a penalty for failure to comply.

IL *1996 Ill. Laws, Act 89-462*

Sec. 220, 235, 250 Adds predatory criminal sexual assault of a child to the list of offenses for which applicants for certain positions must be screened. Authorizes suspension or revocation of a driver's license issued to anyone convicted of predatory criminal sexual assault of a child.

Sec. 225 Adds predatory criminal sexual assault of a child to the list of offenses that disqualify people from school-related employment and licensure.

IN *1997 Ind. Acts, Act 1006*

Requires a school corporation to adopt a policy concerning criminal history background checks for applicants for certain positions.

IA *1997 Iowa Acts, Chap. 42*

Requires that health care facilities request criminal and child abuse registry checks of prospective employees.

IA *1997 Iowa Acts, Chap. 101*

Requires the state to plan for the development of a single contact repository to allow employers and certain public agencies to obtain information, including child abuse information, from the central registry. Requires a report to the legislature.

LA *1997 La. Acts, Act 903*

Authorizes courts to request a check of the central abuse registry on potential court-appointed special advocates.

LA *1997 La. Acts, Act 904*

Requires that fees for criminal background checks for court-appointed special advocates be waived for juvenile court judges.

LA *1997 La. Acts, Act 1067*

Restricts local law enforcement agencies from conducting criminal background screening for entities regulated by the state Department of Public Safety and Corrections. Requires the imposition of a fine against any public employee responsible for requesting criminal history checks who fails to do so or who hires anyone convicted of a disqualifying offense. Bars those convicted of certain offenses from employment in certain public child-related jobs.

LA *1997 La. Acts, Act 1374*

Requires background investigations of potential kinship foster care parents.

ME *'1997 Me. Public Laws, Chap. 452*

Requires a criminal record check on applicants for educational certification, authorization, approval or renewal.

NM *1997 N. M. Laws, Chap. 251*

Authorizes the suspension or revocation of a child care license for convictions of child abuse or related sexual offenses.

ND *1997 N. D. Sess. Laws, SB 2055*

Makes it a misdemeanor to provide child care if the provider is required to register as a sexual offender or has been denied licensing or registration.

ND *1996 N. D. Sess. Laws, SB 2147*

Requires fingerprinting and criminal history checks of employees of foster care facilities.

OK *1997 Okla. Sess. Laws, HB 2133*
Requires criminal background checks of adults living in foster family homes.

RI *1997 RI Pub. Laws, 217*
Requires background and criminal checks of "youth serving agency" workers prior to employment. Defines "youth serving agency" as a facility that operates for more than two hours per day at least one day a week, provides programs and activities for children, and employs people who have supervisory or disciplinary authority over children.

SC *1997 S. C. Acts, Act 3628*
Authorizes release of registry records for licensing and screening purposes.

SD *1997 S. D. Sess. Laws, SB 116*
Allows Head Start program directors to have limited access to the central child abuse and neglect registry.

TX *1997 Tex. Gen. Laws, Chap. 320*
Authorizes the youth commission to obtain background checks of prospective employees and contractors.

TX *1997 Tex. Gen. Laws, Chap. 648*
Requires criminal history information about employees, volunteers or applicants of nonprofit organizations that provide services involving the care of or access to children.

TX *1997 Tex. Gen. Laws, Chap. 1022*
Sec. 22, 33 Requires an applicant for employment with the state child welfare agency, certain child care facilities or with a licensed family home to execute an affidavit regarding the commission of certain offenses.

UT *1997 Utah Laws, HB 307*
Sec. 15 Authorizes the state to require an FBI criminal history background check on all applicants seeking a license to provide services relating to child care, child placing, youth programs and foster care.

VT *1997 Vt. Acts, Act 53*
Requires criminal record checks for potential adoptive parents. Provides exceptions. Requires the state to destroy fingerprint records upon completion of the adoption process.

VA *1997 Va. Acts, Chap. 606*
Allows directors of local court-appointed special advocate programs, with court approval, to directly access the state police and central child abuse registry to perform criminal background checks on advocates.

VA *1997 Va. Acts, Chap. 670/672*
Allows individuals seeking child-minding or day care services access to the sex offender registry to perform an employment or volunteer background check on a specified person, with that person's permission. Makes unauthorized dissemination of registry information a misdemeanor.

Court Procedures and Considerations

AZ *1997 Ariz. Sess. Laws, Chap. 10*
Sets conditions for taking a child into temporary custody to protect the child from abuse or neglect. Outlines procedures for notifying the parent or guardian. Specifies procedures for parents to request a review hearing of the temporary custody order. Describes the proceedings and who may attend.

AR *1997 Ark. Acts, Act 1085*
Clarifies that all siblings who are the subject of a dependency and neglect proceeding shall be covered by a single petition.

AR *1997 Ark. Acts, Act 1186*

Permits the testimony of a child age 12 or under by closed circuit television in any criminal proceeding.

AR *1997 Ark. Acts, Act 1334*

Sec. 7 Allows the state to seek authorization from a court to provide medical care to a child when the child's parents do not provide such care on the basis of religious beliefs.

CA *1997 Cal. Stats., Chap. 87*

Expands the types of child abuse offense prosecutions for which a minor under age 10 may be asked leading questions. Increases exceptions to the inadmissibility of hearsay evidence regarding acts of child abuse.

CA *1996 Cal. Stats., Chap. 835*

Requires the court to consider any history of abuse when considering custody.

CA *1996 Cal. Stats., Chap. 988*

Allows the court to issue an emergency protective order if a child is in danger of being abducted.

CA *1997 Cal. Stats., Chap. 1082*

Allows a court to adjudicate a minor as dependent if the minor's parent has caused the death of another minor through abuse or neglect.

CA *1997 Cal. Stats., Chap. 1084*

Expands the purpose of the abuse and neglect provisions of juvenile court law to include the safety as well as protection of dependent minors. Prohibits counsel from advocating return of a minor to custody of a parent or guardian when it conflicts with the above purpose.

CA *1997 Cal. Stats., Chap. 1139*

Requires the court to consider removing a parent or guardian who may endanger a child or allowing another parent to retain custody as alternatives to removing the child from the custody of a parent or guardian.

Adds protective orders to prevent abuse of dependent children to each county's required reporting of certain data to the Department of Justice. Expands the definition of misdemeanors for violating certain protective orders to include those relating to the prevention of abuse of dependent children.

Maintains the confidentiality of the address of a parent, who is a domestic violence victim, in a petition to declare her child a dependent of the juvenile court.

Makes it a misdemeanor to violate a restraining or protective order of children under the jurisdiction of the juvenile court.

CO *1997 Colo. Sess. Laws, SB 97-218*

Sec. 7, 14 Provides that an order decreeing that a child is neglected or dependent is a final, appealable order after the entry of a disposition order.

CO *1997 Colo. Sess. Laws, SB 97-71*

Sec. 3 Allows the juvenile court, in a case involving a dependent or neglected child, to award sole or joint custody when no custody action concerning the child is pending before a district court.

DE *Vol. 71 Del. Laws, SB 170*

Sec. 6 Authorizes the family court to issue orders providing the state with access to a child reported for abuse or neglect.

Sec. 13 Requires that courts give priority to ensuring the child's well being and safety in declaring a child to be dependent, neglected or abused.

FL *1997 Fla. Laws, HB 55*

Sec. 3 Requires a court, in custody matters, to consider evidence of domestic violence or child abuse even without a conviction or an injunction resulting from such actions. Requires a court to consider, for purposes of shared parental responsibility and primary residence, whether a party has provided false information regarding domestic violence.

IL *1997 Ill. Laws, SB 619*

Requires summons to the parents whose rights have not been terminated before an interim custody order can be granted. Allows the court to enter an order of temporary custody of up to 10 days when notifying the child's parents would place the child in immediate danger. Requires a full hearing be held before the expiration of the order.

IL *1997 Ill. Laws, P. A. 90-28*

Sec. 10-15 Clarifies conditions under which temporary protective custody of a child may be taken without parental consent.

ME *1997 Me. Public Laws, Chap. 187*

Clarifies the definition of shared parental rights and responsibilities. Allows the court to consider evidence of willful misuse of the protection from abuse process.

ME *1997 Me. Public Laws, Chap. 475*

Specifies the conditions warranting the issuance of a final protection order and shortens the time frames for such issuance. Adds to the list of conditions under which review of final protection orders is not mandated and shortens the time frame for such review. Makes reunification efforts subject to the best interest of the child under certain circumstances. Elevates the best interest of the child to first priority in child protection proceedings.

MD *1997 Md. Laws, Chap. 312*

Sec. 1 Allows an attorney for the child victim to be present when a child testifies by closed-circuit television and in certain on-camera examinations of a child.

MD *1997 Md. Laws, Chap. 323*

Allows a court to require an educational seminar for divorcing parents in cases involving child support, custody or visitation issues about the effects of divorce on children and prohibits exceptions in cases of child abuse or neglect.

MA *1996 Mass. Acts, Chap. 151*

Sec. 276 Amends definition of "evidence" in certain child protective proceedings to include testimony of foster parents or preadoptive parents, as well as of the child.

MI *1996 Mich. Pub. Acts, Act 409*

Sec. 1 Transfers proceedings that pertain to adoption, name change, juvenile delinquency, and abuse and neglect from the probate court to the family court.

MN *1997 Minn. Laws, Chap. 239*

Sec. 16-17, 33 Specifies procedures for the filing of a child in need of protection petition by private individuals. Specifies the contents of the petition and requires use of a form. Requires the state court administrator to prepare and make available such a form.

Sec. 18 Gives tribal representatives the right to participate in child protection proceedings subject to the Indian Child Welfare Act. Allows relatives recommended for permanent custody to participate in child protective proceedings as parties.

Sec. 27 Eliminates the ability of a court to continue a child protection proceeding for a second 90-day period and requires either dismissal or adjudication after an initial 90-day continuance.

MS *1997 Miss. Laws, SB 2510*

Requires the Administrative Office of Courts to use a uniform youth court case tracking system that includes the numbers of abused, neglected and children in need of special care.

MT *1997 Mont. Laws, Chap. 343*

Sec. 23 Allows for dispute resolution or mediation except in cases of proven child or spousal abuse.

MT *1997 Mont. Laws, Chap. 514*

Sec. 8 Adds clinical psychologists to those allowed to submit testimony about a parent's ability to assume the role of a parent.

MT *1997 Mont. Laws, Chap. 516*

Sec. 6 Excludes a petition for temporary investigative authority from the requirement that the court set an adjudicatory hearing date upon receipt of petitions.

Sec. 7 Changes the requirements for a show cause hearing. Sets time limits for the order of temporary investigative authority and protective services.

Sec. 8 Makes "a preponderance of the evidence" the standard for the court determining if a youth is in need of care.

Sec. 9 Specifies the conditions required for the court to grant temporary legal custody.

NM *1997 N. M. Laws, Chap. 34*

Sec. 1 Changes abuse and neglect adjudicatory hearings from within 90 days to within 60 days. Requires a mandatory meeting to settle issues prior to the adjudicatory meeting.

Sec. 2 Specifies a timeframe of 30 days in which a court may continue the hearing in order to receive reports and other evidence.

Sec. 3 Requires abuse and neglect dispositional hearings commence within 30 days after conclusion of adjudicatory hearing.

Sec. 4 Changes the time frame for dispositional reviews of adjudicated abuse and neglect cases from within 6 months to within 60 days. Specifies procedures. Requires copies of the adjudicated and dispositional orders and the initial judicial review be submitted to the local substitute care review board.

NY *1996 N. Y. Laws, Chap. 359*

Extends the expiration date for certain provisions relating to use of closed-circuit television for certain child witnesses.

ND *1997 N. D. Sess. Laws, Chap. 139*

Sec. 1 Requires the prosecuting attorney, the court and appropriate law enforcement to protect a child victim or witness from repeated or lengthy interviews, testimony or discovery proceedings.

OH *1996 Ohio Laws, HB 274*

Allows a court to order the removal of the alleged abuser from the child's home and to restrain any person from having contact with the child or the child's sibling. Establishes new provisions governing the duration of protective supervision orders and the duration of the court's jurisdiction if the court awards legal custody in certain situations.

Permits the court, on its own motion, to issue temporary orders to protect the best interest of a child. Permits a court to hold a dispositional hearing immediately after the adjudicatory hearing in child protective proceedings. Makes other changes' concerning the setting of an adjudicatory hearing; motions to release a child from shelter care; UCCJA filing requirements; and pre- and post-disposition support orders.

OR *1997 Or. Laws, Chap. 873*

Sec. 10 Requires submission to the court of a sworn affidavit setting forth the factual basis for a request for protective custody of a child alleged to have been abused or neglected.

Sec. 18 Requires the court to hold a hearing on a petition alleging that a child is within the jurisdiction of the court within 90 days of filing. Mandates that such cases have priority over other cases, whether civil or criminal. Each person about whom allegations have been made shall admit or deny the allegations.

TX *1997 Tex. Gen. Laws, Chap. 670*

Sec. 2 Establishes as a condition of parole or mandatory supervision, for certain offenses, that the defendant have no contact with the victim.

Sec. 3, 5 Authorizes victim-offender mediation services for victims of those released on parole or mandatory supervision. Establishes requirements for the victim impact statement of a child.

TX *1997 Tex. Gen. Laws, Chap. 1022*

Sec. 79 Authorizes an accelerated trial in certain child protective proceedings.

UT *1997 Utah Laws, HB 170*

Prohibits discrimination by life and disability insurers based on domestic violence or child abuse.

UT *1997 Utah Laws, HB 307*

Sec. 23 Allows courts to issue a warrant authorizing a peace officer to search for a child believed to be ill treated.

Sec. 33 Specifies procedures in child protection proceedings for resolving constitutional and statutory claims underlying a minor's failure to attend school.

WA *1997 Wash. Laws, Chap. 344*

Sec. 1 Allows a parent who has been ordered by a dependency court to complete treatment and education for abusive behavior not to have to admit committing abusive acts in order to begin treatment and education.

WA *1997 Wash. Laws, Chap. 386*

Sec. 8 Makes "clear and convincing evidence" the standard that the court must use to determine if manifest danger exists that the child will suffer serious neglect or abuse if not removed from the home, with conditions. Requires petitions for relief from final orders or judgments to be filed within two years after entry.

WV *1997 W. Va. Acts, Chap. 67*

Requires the court to provide court proceeding transcripts of juvenile delinquency and child abuse and neglect cases upon a written request by an indigent respondent or her or his counsel.

WY *1997 Wyo. Sess. Laws, HB 137a*

Sec. 1 Gives the juvenile court jurisdiction over all matters and proceedings concerning certain minors and parents of minors who are delinquent, neglected or in need of supervision.

Definitions/Offenses/Penalties

AZ *1997 Ariz. Sess. Laws, Chap. 10*

Defines "protective services" and "protective services worker."

AZ *1997 Ariz. Sess. Laws, Chap. 222*

Sec. 2, 46 Specifies that the definition of "dependent" child does not include a child receiving Christian Science treatment for an illness. Defines "neglect" and "serious physical or emotional injury."

AR *1997 Ark. Acts, Act 1334*

Sec. 1 Adds definitions of "near fatality" and "serious bodily injury" to the law pertaining to child abuse reporting.

CA *1997 Cal. Stats., Chap. 406*

Allows a paent to request reconsideration of an existing child custody order if the other parent has been convicted of falsely accusing the first parent of child abuse.

CA *1997 Cal. Stats., Chap. 1090*

Outlines probation terms for certain convicted child abusers. Includes completion of a counseling program, abstinence from drugs and alcohol, victim protective orders and a mandatory minimum probation period of 36 months.

CA *1996 Cal. Stats., Chap. 1139*

Makes it a misdemeanor to violate a restraining or protective order of children under the jurisdiction of the juvenile court.

CO *1997 Colo. Sess. Laws, SB 218*

Sec. 6, 8 Defines "emotional abuse." Defines neglected or dependent child to include a child whose parent or guardian habitually abused another child and such pattern of habitual abuse poses a threat to the child.

CT *1997 Conn. Acts, Act 147*

Makes baby selling a felony.

CT *1997 Conn. Acts, Act 298*

Makes it unlawful for a parent, guardian or other responsible person to knowingly leave a child unsupervised in a place of public accommodation or motor vehicle.

DE *Vol. 71 Del. Laws, SB 170*

Sec. 6 Excludes spiritual treatment in good faith from the definition of child neglect.

FL *1997 Fla. Laws, SB 198*

Makes anyone who harasses a minor under age 16 guilty of aggravated stalking, a third degree felony.

ID *1997 Idaho Sess. Laws, P. A. 27*

Sec. 45 Expands the definition of abandonment to include newborns. Expands the definition of neglect to include continuous or repeated neglect that results in the death of a child.

IL *1997 Ill. Laws, P. A. 90-13*

Authorizes the adoption of a newborn infant when the mother is found to be unfit due to the presence of a controlled substance, not due to medical treatment, in bodily fluid at birth.

IL *1997 Ill. Laws, P. A. 90-28*

Sec. 10-25 Defines abandonment of a newborn infant. Adds to the definition of a person unfit to have a child to include an incarcerated parent, under certain conditions, and any person convicted of murder or aggravated criminal sexual assault.

LA *1997 La. Acts, SCR 61*

Requests the Department of Social Services to study the definition of corporal punishment in light of the state's diverse cultural environment.

LA *1997 La. Acts, Act 899*

Adds "cruelty to juveniles" to those crimes for which a person can be charged with second degree murder even though the perpetrator has no intent to kill or to inflict great bodily harm.

LA *1997 La. Acts, Act 1231*

Creates the offense of stalking a child. Sets a penalty.

MN *1997 Minn. Laws, Chap. 239*

Sec. 15 Amends definition of "egregious harm" to include violation of certain state assault laws and federal homicide and assault statutes.

Sec. 1 Expands definition of "child in need of protection or services" to include a child found to have committed "domestic abuse perpetrated by a minor" and a child ordered excluded from the home by a parent or guardian.

MO *1997 Mo. Laws, SB 56*

Sec. A Makes the crime of child abuse a class A felony when the abuse results in death.

MT *1997 Mont. Laws, Chap. 514*

Sec. 3 Adds an adult residing in the same home in which a child resides to the definition of "person responsible for a child's welfare." Includes legal guardian in the religious exemption to child abuse. Defines "emotional abuse." Removes "mental injury." Adds "malnutrition," and exposing a child to risk to the definition of "harm to a child's welfare" Changes the definition of "physical abuse." Defines "reasonable cause to suspect" and "residential setting."

MT *1997 Mont. Laws, Chap. 516*

Sec. 2 Adds to the definition of a "person responsible for a child's welfare." Adds "guardian" to the religious exemption to child abuse and neglect.

NE *1997 Neb. Laws, L. B. 119*

Defines "department," "law enforcement" and "out-of-home abuse or neglect." Requires law enforcement and the department to notify the person(s) having custody of reports of out-of-home child abuse if the person(s) with custody is not the subject of the abuse or neglect report.

NV *1997 Nev. Stats., P. A. 90-512*

Sec. 1 Clarifies the definition of "physical injury."

NM *1997 N. M. Laws, Chap. 163*

Sec. 1 Defines "child" and "negligently."

OH *1996 Ohio Laws, HB 274*

Defines "mental injury" and revises definitions of "dependent child" and "neglected child." Replaces the term "physically handicapped" with a newly defined term: "physically impaired." Replaces the term "mentally handicapped" with "mentally retarded and developmentally disabled."

OK *1997 Okla. Sess. Laws, HB 1213*

Sec. 127 Specifies fines and clarifies the felonious nature of child abuse and neglect.

Sets several types of abuse and neglect offenses as schedule E offenses for truth-in-sentencing purposes.

OK *1997 Okla. Sess. Laws, HB 1361*

Sec. 3 Adds child to the list of victims of domestic abuse.

OR *1997 Or. Laws, Chap. 873*

Sec. 4 Defines "reasonable time" as referring to a child's developmental needs and ability to form lasting attachments. Modifies "serious physical injury."

Sec. 30 Excludes reasonable discipline from the definition of child abuse.

RI *1997 R. I. Pub. Laws, H 6297*

Declares that the statute defining and penalizing the infliction of serious bodily injury on a child shall be known as "Brendan's Law."

SD *1997 S. D. Sess. Laws, HB 1061*

Creates the crime of enticing a child.

TX *1997 Tex. Gen. Laws, Chap. 575*

Sec. 9 Adds definitions to the section relating to involuntary termination of parent-child relationship concerning the use of a controlled substance.

TX *1997 Tex. Gen. Laws, Chap. 666*

Prohibits inmates from contacting a victim's family or a victim who was age 17 or under at the time the offense was committed. Requires forfeiture of all or part of accrued good conduct time for any inmate violating the no contact provision.

TX *1997 Tex. Gen. Laws, Chap. 687*

Establishes that a child's practice for or participation in a sporting event, under proper safety standards, does not constitute child endangerment.

TX *1997 Tex. Gen. Laws, Chap. 752*

Adds the neglect of a child as a justification for requesting permission to take emergency possession of a child. Authorizes that a child may be protected by a court order if it is determined that the child needs protection from family violence.

UT *1997 Utah Laws, HB 92*

Sec. 1 Clarifies that a parent who treats a child by spiritual means shall not, for that reason alone, be deemed to have committed child abuse.

Sec. 4 Expands definition of abuse of disabled child to include causing or permitting another to inflict physical injury.

Sec. 3 Makes commission of domestic violence in the presence of a child a third degree felony.

UT *1997 Utah Laws, HB 329*

Eliminates the protection from prosecution for a parent who intentionally distributes harmful material to a minor child.

WA *1997 Wash. Laws, Chap. 132*

Sec. 1 Clarifies the definition of "negligent treatment or maltreatment" to stipulate that the sharing of a bedroom by siblings is not negligent treatment or maltreatment.

WA *1997 Wash. Laws, Chap. 386*

Sec. 7 Removes child with a developmental disability from the definition of "dependent child."

Sec. 15 Defines "developmentally disabled dependent child."

WV *1997 W. Va. Acts, Chap. 2*

Sec. 48-4-3c Defines conduct constituting abandonment.

WV *1997 W. Va. Acts, Chap. 75*

Creates a criminal offense for death of a child caused by neglect. Excludes medical treatment by spiritual means from the definition of neglect.

Financing

HI *1997 Hawaii Sess. Act 259*

Establishes a trust fund for the Hawaii State Clearinghouse for Missing Children.

MN *1997 Minn. Laws, Chap. 239*

Sec. 5 Makes a one-time appropriation of $120,000 for grants to develop innovative services to children in the child protection system.

NV *1997 Nev. Stats., Chap. 7*

Allows a juror to donate money received for expenses to a local child protective services agency.

OK *1997 Okla. Sess. Laws, HB 1854*

Sec. 20 Appropriates $5.3 million for a child abuse prevention and family resource program to be known as the Children First Program. Requires an implementation plan.

TX *1997 Tex. Gen. Laws, Chap. 1022*

Sec. 16, 18 Requires the state to ensure the availability of community education programs regarding the prevention, identification and treatment of child abuse and neglect. Requires the agency to implement a statewide outreach program regarding the availability of federal funds in the area of child protection.

UT *1997 Utah Laws, HB 94*

Creates special accounts to fund recruiting and training of CASA volunteers and to fund the Office of the Guardian Ad Litem Director. Authorizes the use of paralegals by the Office of the Guardian Ad Litem Director. Allows imposition of guardian ad litem expenses against the minor's parents.

Legal Representation/Ad Litems/Special Advocates

AR *1997 Ark. Acts, Act 1227*

Sec. 4, 14 Requires the appointment of an attorney ad litem to represent the best interest of juveniles in dependency-neglect proceedings. Authorizes court appointment of special advocates who meet certain training requirements. Creates a Division of Dependency-Neglect Representation and authorizes creation of a statewide court-appointed special advocate program within the court system.

CT *1997 Conn. Acts, Act 0104*

Requires the release of records to attorneys and guardians ad litem in proceedings affecting the best interests of the child.

FL *1997 Fla. Laws, HB 377*

Allows a juror to donate his or her compensation to the guardian ad litem program or a domestic violence shelter.

IL *1997 Ill. Laws, P. A. 27*

Sec. 30 Strengthens provisions for guardians' ad litem to represent minors in larger counties. Increases powers of hearing officers in Cook County to supervise decisions on child placement.

IL *1996 Ill. Laws, Act 89-462*

Sec. 255 Directs the juvenile court to appoint a guardian ad litem for any child alleged in a petition to have been the victim of predatory criminal sexual assault.

IL *1997 Ill. Laws, P. A. 90-28*

Sec. 10-20 Requires the court appointed guardian ad litem, in counties with fewer than 3 million people, to remain with the same child throughout the entire juvenile trial court process, including permanency and termination of parental rights hearings. Requires a training program for guardian ad litems.

LA *1997 La. Acts, Act 903*

Authorizes courts to request a check of the central abuse registry on potential court-appointed special advocates.

LA *1997 La. Acts, Act 904*

Requires that fees for criminal background checks for court-appointed special advocates be waived for juvenile court judges.

ME *1997 Me. Public Laws, Chap. 35*

Requires appointment of a visitor or guardian ad litem within two days of appointment of a temporary guardian. Requires the visitor or guardian ad litem to visit the child and submit a report within 10 days of the appointment.

ME *1997 Me. Public Laws, Chap. 257*

Requires the guardian ad litem to have a face-to-face interview with the child.

MN *1997 Minn. Laws, Chap. 239*

Sec. 19, 21-23 Prohibits counsel for the child from acting as the child's guardian ad litem. Requires the appointment of a guardian ad litem in all child protection cases. Allows the court to appoint separate counsel for the guardian if necessary. Requires that any waiver of rights by an unrepresented child be made by the child's guardian ad litem, not a parent. Mandates access to records on the part of counsel representing a child, parent or guardian ad litem in child protection proceedings.

NV *1997 Nev. Stats., Chap. 380*

Authorizes the appointment of a special master to identify the person most qualified to serve as a guardian for a child determined to be in need of a guardian. Requires that petitions for the appointment of a guardian state whether the guardianship is sought as a result of abuse or neglect. Allows for the testimony of certain interested persons at hearings to identify a guardian.

NH *1997 N. H. Laws, Chap. 28*

Requires a guardian ad litem appointed in certain child custody proceedings be subject to the same rules as those in a divorce proceeding. Requires all guardian ad litem fees be paid from a special fund.

NH *1997 N. H. Laws, Chap. 292*

Clarifies that legal representation of abused or neglected children may include investigative, expert and other services.

OH *1996 Ohio Laws, HB 274*

Permits a guardian ad litem to bring a civil action against any mandatory reporter of child abuse who fails to report an incident of abuse when the child suffers any injury or harm as a result of the abuse or neglect. Eliminates the $400 compensation limit for guardians ad litem.

TX *1997 Tex. Gen. Laws, Chap. 61*

Requires the state to issue specially designed volunteer advocate program license plates.

TX *1997 Tex. Gen. Laws, Chap. 650*

Requires an attorney ad litem for a child to conduct appropriate investigations, obtain certain records and interview all parties in the suit. Permits the attorney to call, examine or cross-examine witnesses.

TX *1997 Tex. Gen. Laws, Chap. 1022*

Sec. 91 Clarifies who is to provide legal representation for the state child welfare agency in child protective proceedings.

TX *1997 Tex. Gen. Laws, Chap. 1294*

Requires the appointment of a guardian ad litem to represent a child in a suit by a governmental entity requesting termination of parental rights or appointment of the state as conservator of the child. Specifies powers and duties of a guardian ad litem and requires the attorney general to adopt standards for a local volunteer advocate program.

UT *1997 Utah Laws, HB 94*

Creates special accounts to fund recruiting and training of CASA volunteers and to fund the Office of the Guardian Ad Litem Director. Authorizes the use of paralegals by the Office of the Guardian Ad Litem Director. Allows imposition of guardian ad litem expenses against the minor's parents.

VA *1997 Va. Acts, Chap. 606*

Allows directors of local court-appointed special advocate programs, with court approval, to directly access the state police and central child abuse registry to perform criminal background checks on advocates.

Organization/Oversight

AZ *1997 Ariz. Sess. Laws, Chap. 10*

Sec. 55 Establishes a protective services caseload standards advisory committee.

AZ *1997 Ariz. Sess. Laws, Chap. 223*

Sec. 2 Directs the state to implement a family builders pilot program involving partnerships between child protective services and community-based programs, to allow for a triage system to screen abuse reports, provide a variety of community-linked family support services and assess families for service needs. Requires an evaluation. Appropriates $800,000 for FY 1997-1998 and $2.27 million for FY 1998-1999 for implementation of the act.

AR *1997 Ark. Acts, Act 1240*

Creates a family protection unit within the state police to conduct investigations of severe child abuse and to administer the child abuse hotline. Requires transfer of the investigation function from the Department of Human Services to the state police.

CA *1997 Cal. Stats., Chap. 405*

Encourages expansion of the pilot program for juvenile dependency mediation services to all counties. Allows counties to increase fees for copies of birth records to fund these services.

CO *1997 Colo. Sess. Laws, SB 97-218*

Sec. 9, 10 Creates a conflict resolution process for grievances concerning the conduct of county child protection personnel. Establishes a citizen review panel in each county to hear grievances. Requires that the notice of rights given to families include a reference to the conflict resolution process.

DE *Vol. 71 Del. Laws, SB 170*

Sec. 1-5 Establishes a multiple response approach to reports of child abuse and neglect. Allows the child welfare agency to respond with either an assessment and services approach or an investigation. Requires an investigation in certain cases. Allows cases assigned to one approach to be transferred to the other approach. Calls for the child protection system to coordinate community resources to prevent and remedy child abuse.

Sec. 6 Creates the Child Protection Accountability Commission to monitor the state's child protection system, examine policies and procedures, make recommendations and prepare written reports.

HI *1997 Hawaii Sess. Act 259*

Makes the Hawaii State Clearinghouse for Missing Children a program within the Department of the Attorney General.

IA *1997 Iowa Acts, Chap. 35*

Requires the state child welfare agency to incrementally expand the assessment-based approach to child abuse reports so that the approach is used throughout the state by July 1, 1998. Clarifies purpose of assessments. Requires parental notification of an assessment. Requires the child welfare agency to work jointly with law enforcement agencies in performing assessments. Specifies elements of an assessment.

MN *1997 Minn. Laws, Chap. 239*

Sec. 34 Requires the revisor of statutes to reorganize the juvenile code--in the form of a bill for introduction in 1998--to create separate areas of law dealing with child protection and delinquency.

MO *1997 Mo. Laws, SB 348*

Extends to eight areas of the state the multiple response system under which reports of child abuse and neglect receive investigations or assessments.

NV *1997 Nev. Stats., Chap. 517*

Sec. 1, 2 Authorizes a multiple response approach to reports of child abuse and neglect. Requires the state to immediately investigate certain reports and to evaluate families reported for other, less serious types of abuse and neglect and determine whether an investigation is warranted. Sets forth criteria for cases in which an investigation is not warranted. Authorizes the state in such cases to conduct an assessment of the family's need for services and to provide counseling or other services to the family. Allows for the reversal of a decision that an investigation is not warranted.

OH *1996 Ohio Laws, HB 274*

Limits the provision of services by public children's service agencies to children who are adjudicated abused, neglected or dependent. Requires public children's service agencies to implement a system of risk assessment in determining the risk of abuse or neglect in connection with an investigation of a report of child abuse or neglect. Requires counties to create a mandatory dispute resolution process to resolve disputes among the agencies represented on local family and children's services councils. Permits a board of county commissioners to approve or disapprove of an agreements, plans or decisions proposed by a local children and family services council that requires expenditures for two or more families. Allows the state child welfare agency to enter into a plan of cooperation with other governmental entities to protect children from abuse and neglect.

SC *1997 S. C. Acts, Act 577*
Authorizes the state child welfare agency to establish a pilot program under which less serious cases of child maltreatment would be assessed for service needs rather than investigated. Directs the state to collaborate with the community to identify formal and informal services for children and families reported for abuse. Directs the state to gather information concerning reports of excessive corporal punishment and to report to the legislature and governor.

TX *1997 Tex. Gen. Laws, Chap. 1022*
Sec. 56, 71 Authorizes the state child welfare agency to prioritize reports of child abuse according to the degree of severity of the alleged harm. Requires the state to establish a flexible response system under which families reported for less serious abuse would be provided assessment and family preservation services. Authorizes a pilot program to test the flexible response system.

Sec. 64 Requires the state child welfare agency to prepare and disseminate statistics regarding child abuse and neglect.

Sec. 116 Requires the state child welfare agency to establish a working group to coordinate the processing of child protection cases and to report to the state supreme court.

UT *1997 Utah Laws, HB 227*
Designates the National McGruff House Network Program as the official statewide safe house program for children. Requires the program administrator to screen, train and support volunteers who offer to make their homes safe houses.

UT *1997 Utah Laws, HB 307*
Sec. 6, 13 Provides that in cases of obvious sexual abuse or abandonment, or serious physical abuse or neglect, the state has no duty to maintain a child in his home, provide reunification services or attempt to rehabilitate the offending parent. Clarifies the duties of the Child Welfare Legislative Oversight Panel.

WA *1997 Wash. Laws, Chap. 386*
Sec. 9-12 Authorizes the creation of models for alternative responses to reports of abuse and neglect. Defines "alternative response systems" as voluntary, family-centered services aimed at strengthening families at low risk for child abuse. Specifies that services are to be delivered by public or private providers through contracts with the state.

Sec. 42-44 Requires the Personnel Appeals Board to expedite employee appeals where the employee is alleged to have committed misconduct that may have placed a child at serious risk of harm. Sets conditions.

Prevention/Treatment/Training

AZ *1997 Ariz. Sess. Laws, Chap. 168*
Authorizes the expenditure of money from the child abuse prevention fund for financial assistance to family resource programs offering community-based support services.

CA *1997 Cal. Stats., Chap. 758*
Sec. 2 Expands licensure or renewal requirements for professionals working with child abuse victims and child abusers to include training in child abuse assessment and reporting.

CA *1997 Cal. Stats., Chap. 860*
Sec. 2 Requires establishment of two hospital-based centers to train medical personnel to perform specific exams of certain victims including child abuse and neglect victims. Outlines characteristics and responsibilities of the centers.

CA *1997 Cal. Stats., Chap. 880*

Raises the fee for obtaining birth records. Allocates part of the increase to contracts with private, nonprofit organizations or public institutions of higher education that provide child abuse and neglect prevention and intervention services.

CA *1996 Cal. Stats., Chap. 1139*

Adds training on the effects of domestic violence on families and children to a statewide child welfare training program. Requires the emergency response protocol to incorporate screening procedures to assess whether abuse of another family or household member is occurring.

CT *1997 Conn. Acts, Act 288*

Mandates the establishment of three additional pilot sites for Healthy Families Connecticut. Establishes a Healthy Families Advisory Commission to monitor the Healthy Families Connecticut program. Requires that contracts with managed care organizations for public medical assistance include provisions for collaboration with the Healthy Families program.

DE *Vol. 71 Del. Laws, SB 170*

Sec. 6 Requires the state to conduct informational and training programs on child abuse and neglect and to continuously publicize the child abuse hotline.

Sec. 16, 17 Prohibits insurers from limiting medical coverage for any child referred by the child welfare agency for suspected child abuse or neglect.

HI *1997 Hawaii Sess. Act 369*

Authorizes the Department of Health to conduct child death reviews to gain a better understanding of child deaths and to reduce the number of preventable deaths. Defines "child," "child death review information," and "preventable death." Outlines rules on access to child death review information and records.

IL *1996 Ill. Laws, Act 89-648*

Requires that all child care workers required to report child abuse attend training on recognizing child abuse and neglect.

IL *1997 Ill. Laws, P. A. 90-28*

Sec. 10-5 Directs child welfare services to consider children's safety when protecting children and when making decisions about family preservation and out-of-home placement, including adoption.

IN *1997 Ind. Acts, SEA 400*

Sec. 24 Requires each county to develop a community services plan for early intervention to provide services targeted to CHINS or at risk CHINS. Requires each county to establish a team to develop a plan. Requires the juvenile court and local child protection services to consider and use any available services described in an early intervention plan.

MN *1997 Minn. Laws, Chap. 162*

Sec. 28 Includes child abuse and neglect education as one of the goals of the state's school-based, comprehensive, community-linked grant program for adolescent parents age 21 or younger and their children under age 5.

MN *1997 Minn. Laws, S. F. 1908*

Sec. 30 Requires the health commissioner to administer a pilot program to award grants to judicial districts to create juvenile assessment centers for children who are accused of committing delinquent acts, status offenders or children who allegedly were victims of abuse or neglect.

MT *1997 Mont. Laws, Chap. 405*
Specifies funding sources and program activities for the Montana Children's Trust Fund.

NH *1997 N. H. Laws, Chap. 254*
Changes the name of the state's children's trust fund. Revises the membership of the board. Increases allowance for administrative expenses. Amends the criteria for the selection of grantees.

OK *1997 Okla. Sess. Laws, HB 1854*
Sec. 20 Appropriates $5.3 million for a child abuse prevention and family resource program to be known as the Children First Program. Requires an implementation plan.

OK *1997 Okla. Sess. Laws, HB 1927*
Sec. 15 Requires certain attorneys representing juveniles to complete training in juvenile law, child abuse and neglect and other issues.

TX *1997 Tex. Gen. Laws, Chap. 1022*
Sec. 16, 18 Requires the state to ensure the availability of community education programs regarding the prevention, identification and treatment of child abuse and neglect. Requires the agency to implement a statewide outreach program regarding the availability of federal funds in the area of child protection.

WA *1997 Wash. Laws, Chap. 344*
Sec. 1 Allows a parent who has been ordered by a dependency court to complete treatment and education for abusive behavior to not have to admit committing abusive acts in order to begin treatment and education.

WV *1997 W. Va, Acts, Chap. 53*
Adds to the goals of the state's child welfare system to include family-focused, community-based services that include the prevention of abuse and neglect.

Registries and Records

AZ *1997 Ariz. Sess. Laws, Chap. 22*
Revises the type of child abuse report information required to be compiled on a quarterly basis.

AZ *1997 Ariz. Sess. Laws, Chap. 223*
Requires the state to purge records from the central registry when the family has been referred to the Family Builders Pilot Program and five years have passed since the family was reported for abuse.

AZ *1997 Ariz. Sess. Laws, Chap. 224*
Requires that an alleged perpetrator of child abuse be given notice of the state's intent to substantiate the allegation on the central registry and the alleged perpetrator's right to a hearing. Specifies the content of the required notice and certain pre-hearing procedures.

AR *1997 Ark. Acts, Act 1041*
Requires that employees, volunteers, foster parents, adoptive parents and others in a child welfare agency be checked for child maltreatment through the central abuse registry and be subjected to a criminal history check.

AR *1997 Ark. Acts, Act 1234*
Allows release of adoption records to multidisciplinary child abuse teams.

AR *1997 Ark. Acts, Act 1334*

Sec. 2 Requires that records of unsubstantiated allegations of abuse be expunged from the central registry. Allows retention of such records in departmental case files for purposes of future risk assessment, but limits disclosure of such records.

Sec. 3 Allows disclosure of true allegations of child abuse to federal and state child protection agencies, child abuse citizen panels, child fatality review teams, to the general public in cases of a child fatality or near fatality, and a grand jury or court. Allows the identity of the reporter of abuse to be disclosed only after a court has found that the reporter knowingly made a false report. Allows disclosure of an investigative determination to the employer of any offender engaged in child-related activities.

CO *1997 Colo. Sess. Laws, HB 97-1109*

Directs the state to phase out use of the central abuse registry and related employment screening. Requires an implementation plan to address alternative methods of tracking child abuse and neglect.

CT *1997 Conn. Acts, Act 104*

Requires the release of records to attorneys and guardians ad litem in proceedings affecting the best interests of the child.

CT *1997 Conn. Acts, Act 319*

Sec. 8 Requires disclosure of child protection records pertaining to a subject of an investigation to any state agency that licenses such person to care for children, and to the governor when requested in the course of his official functions. Authorizes disclosure of the name of an individual reporting child abuse, and the name of anyone cooperating with a protective investigation, to a judge, parties to certain court proceedings, state child care licensing agencies, and certain school officials. Allows disclosure of the identity of a reporter of child abuse to a person named in a report, provided that a court determines there is reasonable cause to believe that the reporter knowingly made a false report.

Sec. 14 Requires the state child welfare agency to disclose records of child abuse investigations to certain supervisory personnel of schools, child care agencies and other facilities providing care for children when the state has reason to believe that the alleged abuse occurred.

DE *Vol. 71 Del. Laws, SB 132/170*

Prohibits operators of health care facilities and child care facilities from hiring anyone without first requesting a child abuse registry check. Specifies a penalty for failure to comply.

FL *1997 Fla. Laws, HB 1760/390*

Authorizes law enforcement agencies to share certain nonexempt criminal history information with the state child welfare agency in child protective investigations. Adds law enforcement agencies to the list of entities that may obtain the name of a reporter of child abuse with that reporter's written consent.

IA *1997 Iowa Acts, Chap. 101*

Requires the state to plan for the development of a single contact repository to allow employers and certain public agencies to obtain information, including child abuse information from the central registry. Requires a report to the legislature.

IA *1997 Iowa Acts, Chap. 173*

Prohibits the release of abortion or pregnancy records in the case of a minor who has declared that she is the victim of sexual abuse.

IA *1997 Iowa Acts, Chap. 176*

Specifies the criteria for placement of information in the central child abuse registry. Provides that information regarding abuse that is minor and unlikely to recur shall not be placed on the registry. Specifies the types of information to be placed on the registry. Specifies the types of people who have access to information on the registry.

KS *1997 Kan. Sess. Laws, Chap. 156*

Sec. 41 Requires all reports and records concerning children in need of care to be kept confidential unless a court order determines that disclosure is in the best interests of the child or is necessary for court proceedings.

LA *1997 La. Acts, Act 612*

Allows those identified as perpetrators on the central registry to seek expungement of the record when no child in need of care petition is filed by the state.

ME *1997 Me. Public Laws, Chap. 328*

Allows the commissioner of human services, with the advice of the attorney general, to release limited child protective information in limited circumstances.

MN *1997 Minn. Laws, Chap. 239*

Sec. 21-23 Mandates access to records on the part of counsel representing a child, parent or guardian ad litem in child protection proceedings.

MS *1997 Miss. Laws, SB 2510*

Sec. 8 Requires the state to disclose all information regarding a previous youth court intake that alleges a child was delinquent, in need of supervision or special care, truant, abused or neglected.

MO *1997 Mo. Laws, SB 348*

Allows parents or legal guardians inquiring about a specific person or child care facility access to investigation records contained in the central child abuse registry.

MT *1997 Mont. Laws, Chap. 514*

Sec. 7 Adds to the list of those allowed access to confidential child abuse and neglect records.

NV *1997 Nev. Stats., Chap. 233*

Authorizes the exchange of information, under certain circumstances, between child protective service agencies and the Division of Parole and Probation.

NV *1997 Nev. Stats., Chap. 517*

Sec. 3, 5 Allows for disclosure of child abuse records to a person or organization that has contracted with the state to provide assessments or services, to a child fatality review team and to anyone required to report child abuse. Authorizes disclosure to the general public of certain information pertaining to children who are killed or critically injured by abuse or neglect.

NV *1997 Nev. Stats., P. A. 90-512*

Sec. 2 Allows a person accused of child abuse or neglect to receive copies of statements he or she made in response to such allegations and a written summary of the allegations.

NJ *1997 Minn. Laws, Chap. 608*

Requires all information contained in unfounded abuse and neglect reports to be expunged. Eliminates the requirement to disclose the reason(s) when a request for expungement is denied.

NY *1996 N. Y. Laws, SB 5959*

Enacts "Eliza's Law," regarding the disclosure of child fatality information in the central abuse registry. Requires that certain reports be made available to the public after submission to certain public officials. Requires that certain child abuse information be made available to specified officials for the purpose of performance audits, provided that client-identifiable information remains confidential. Allows those with access to abuse information to disclose such information to each other. Provides for the sealing and eventual expungement of unfounded reports of abuse, and for disclosure of such reports to specified agencies under certain circumstances. Allows for public disclosure of information pertaining to a child abuse investigation under certain circumstances and in accordance with specified criteria.

OH *1996 Ohio Laws, HB 274*

Defines "official records," for purposes of the law applicable to the sealing of certain criminal records, to exclude records or reports of child abuse and neglect maintained by a public children's services agency or the state child welfare agency.

OK *1997 Okla. Sess. Laws, HB 1213*

Sec. 126 Makes it a felony and sets a fine of up to $1,000 for an employee of the central registry to release information without authorization.

OR *1997 Or. Laws, Chap. 873*

Sec. 27 Authorizes health care providers to disclose medical records to certain state agencies investigating a report of child abuse or neglect without first obtaining permission from the parents or the child.

SC *1997 S. C. Acts, Act 3628*

Requires that a perpetrator's name be placed on the central registry only upon order of a court. Requires such orders in criminal cases involving sexual or physical abuse. Limits circumstances under which corporal punishment may be entered on the registry. Authorizes release of registry records for licensing and screening purposes.

SD *1997 S. D. Sess. Laws, SB 116*

Allows Head Start program directors to have limited access to the central child abuse and neglect registry.

SD *1997 S. D. Sess. Laws, SB 171*

Revises the length of time a subject of a report of child abuse or neglect has to request amendment, expungement or removal of report from one year to three years.

WA *1997 Wash. Laws, Chap. 282*

Sec. 1 Requires that the department not maintain information related to unfounded reports of child abuse or neglect for longer than six years, with conditions.

Sec. 2 Sets due process rights, procedures and notification requirements in child abuse and neglect investigations and records.

WA *1997 Wash. Laws, Chap. 305*

Sec. 1-9 Requires the department to disclose information regarding the investigation of or services provided to abused or neglected children under certain conditions, including the death of a child from abuse or neglect.

Reporting/Investigations

AZ *1997 Ariz. Sess. Laws, Chap. 223*

Sec. 2 Directs the state to implement a family builders pilot program involving partnerships between child protective services and community-based programs, to allow for a triage system to screen abuse reports, provide a variety of community-linked family support services and assess families for service needs. Requires an evaluation.

AR *1997 Ark. Acts, Act 535*

Substitutes "radiology procedures" for "x-rays" in child abuse investigation terminology.

AR *1997 Ark. Acts, Act 1240*

Creates a Family Protection Unit within the state police to conduct investigations of severe child abuse and to administer the child abuse hotline. Requires transfer of the investigation function from the Department of Human Services to the state police.

AR *1997 Ark. Acts, Act 1334*

Sec. 4 Requires that child abuse investigations include an interview with the child apart from the alleged offender or any of the alleged offender's representatives.

Sec. 5 Allows child abuse investigators to inspect personnel records in any place where an allegation of child abuse has been reported and the alleged offender is unknown.

AR *1997 Ark. Acts, Act 1351*

Increases the penalty for knowing and willful reporting of false allegations of child maltreatment.

CA *1997 Cal. Stats., Chap. 696*

Authorizes a pilot program in San Mateo County to create a standardized form for reporting violence and abuse against children and other specified groups. Requires evaluation by the Department of Justice and a report to the Legislature.

CA *1997 Cal. Stats., Chap. 1081*

Sec. 3, 3.5 Expands the list of required reporters to include clergy members. Provides exceptions.

Sec. 5 Entitles clergy members to receive results of the subsequent agency investigation of the child abuse claim.

Sec. 6 Exempts clergy members from criminal liability for providing the agency access to the child abuse victim.

CO *1997 Colo. Sess. Laws, SB 97-218*

Sec. 12 Requires the state to assess the credibility of the source of a child abuse report in the course of an abuse investigation.

Sec. 13 Allows for an examination by an independent mental health care provider in cases of emotional abuse.

CT *1997 Conn. Acts, Act 147*

Increases penalty for falsely reporting an incident concerning death or serious physical injury of a child from a class A misdemeanor to a class D felony.

CT *1997 Conn. Acts, Act 319*

Sec. 10, 17 Requires that the commissioner of children and families disclose to law enforcement authorities and to the alleged perpetrator the identity of anyone making a false report of child abuse. Requires that oral reports of child abuse be recorded and that the state inform reporters of the penalty for making false reports.

Sec. 17 Requires the state child welfare agency to notify law enforcement authorities whenever it receives a report of serious sexual or physical abuse.

Sec. 20 Requires the state to provide a telephone hotline for the reporting of child abuse.

DE *Vol. 71 Del. Laws, SB 170*

Sec. 1-5 Establishes a multiple response approach to reports of child abuse and neglect. Allows the child welfare agency to respond with either an assessment and services approach or an investigation. Requires an investigation in certain cases. Allows cases assigned to one approach to be transferred to the other approach. Calls for the child protection system to coordinate community resources to prevent and remedy child abuse.

Sec. 11 Authorizes the state child welfare agency to appoint up to three special child abuse investigators who have the power to make arrests and serve writs anywhere in the state. Specifies qualifications.

HI *1997 Hawaii Sess. Act 369*

Authorizes the Department of Health to conduct child death reviews in order to gain a better understanding of child deaths and to reduce the number of preventable deaths. Defines "child," "child death review information," and "preventable death." Outlines rules on access to child death review information and records.

IL *1997 Ill. Laws, P. A. 75*

Sec. 5 Allows disclosure of information from a child abuse or neglect report if disclosure is not contrary to the best interest of the child or the report has not been publicly disclosed. Prohibits identification of a source in any report.

IL *1997 Ill. Laws, P. A. 90-512*

Sec. 15 Authorizes psychotherapists to disclose to the state certain information regarding a client if relevant to certain child abuse investigations.

IL *1997 Ill. Laws, P. A. 90-28*

Sec. 10-20 Requires the department to adopt rules defining conducting a search to locate parents of children in its custody.

IA *1997 Iowa Acts, Chap. 35*

Requires the state child welfare agency to incrementally expand the assessment-based approach to child abuse reports so that the approach is used throughout the state by July 1, 1998. Clarifies purpose of assessments. Requires parental notification of an assessment. Requires the child welfare agency to work jointly with law enforcement agencies in performing assessments. Specifies elements of an assessment.

IA *1997 Iowa Acts, Chap. 91*

Requires that mandatory reporters of child abuse report certain types of sex abuse perpetrated by someone other than a person responsible for the care of the child. Requires the state child welfare agency to report such abuse to the appropriate law enforcement agency.

IA *1997 Iowa Acts, S. F. 230*

Requires the state child welfare agency to incrementally expand the assessment-based approach to child abuse reports so that the approach is used throughout the state by July 1, 1998. Clarifies purpose of assessments. Requires parental notification of an assessment. Requires the child welfare agency to work jointly with law enforcement agencies in performing assessments. Specifies elements of an assessment.

LA *1997 La. Acts, HCR 77*

Requests the Department of Social Services to establish a 24-hour toll free telephone number through which children may report cases of abuse and neglect.

LA *1997 La. Acts, Act 1103*

Requires child protection agencies to refer to law enforcement any report of abuse or neglect perpetrated by someone not an occupant of the child's household.

ME *1997 Me. Public Laws, Chap. 251*

Extends mandatory child abuse reporting laws to commercial film and photographic print processors and clergy members. Excludes clergy when information is obtained during confidential communications.

MA *1996 Mass. Acts, Chap. 151*

Sec. 278 Requires that all sources and recipients of information regarding the investigation of unsubstantiated reports of abuse be informed in writing that the report was not substantiated.

MI *1996 Mich. Pub. Acts, Act 309*

Revises the penalty for making a false report of child abuse.

MO *1997 Mo. Laws, SB 348*

Extends to eight areas of the state the multiple response system under which reports of child abuse and neglect receive investigations or assessments.

MT *1997 Mont. Laws, Chap. 501*

Sec. 1 Requires social workers in child abuse and neglect cases to interview the parents, if available, before requesting temporary investigative authority.

Sec. 2 Requires that, in child abuse and neglect cases, protective services must include statements, if any, made by the parents regarding the facts of the case or must allow an appearance by the parent at the hearing on the petition.

Sec. 3 Requires the court to consider the parents' statements, if any, upon the filing of a petition for temporary investigative authority.

MT *1997 Mont. Laws, Chap. 514*

Sec. 4 Removes the requirement that the Department of Public Health and Human Services notify the appropriate county attorney of a report of child abuse. Adds to the list of mandated reporters.

Sec. 5 Clarifies reporting and investigation procedures.

MT *1997 Mont. Laws, Chap. 516*

Sec. 6 Excludes a petition for temporary investigative authority from the requirement that the court set an adjudicatory hearing date upon receipt of petitions.

Sec. 7 Changes the requirements for a show cause hearing. Sets time limits for the order for temporary investigative authority and protective services.

NV *1997 Nev. Stats., Chap. 517*

Sec. 1, 2 Authorizes a multiple response approach to reports of child abuse and neglect. Requires the state to immediately investigate certain reports and to evaluate families reported for other, less serious types of abuse and neglect and determine whether an investigation is warranted. Sets forth criteria for cases in which an investigation is not warranted. Authorizes the state in such cases to conduct an assessment of the family's need for services and to provide counseling or other services to the family. Allows for the reversal of a decision that an investigation is not warranted.

OH *1996 Ohio Laws, HB 274*

Requires public children's services agencies receiving a report of child abuse involving an out-of-home care entity to provide notice of the report to the administrator of the entity or, if the administrator is the alleged perpetrator, the owner or governing board. Requires public children's services agencies to notify the alleged perpetrator of child abuse or neglect of the disposition of the protective investigation. Permits a guardian ad litem to bring a civil action against any mandatory reporter of child abuse who fails to report an incident of abuse when the child suffers any injury or harm as a result of the abuse or neglect.

OR *1997 Or. Laws, Chap. 873*

Sec. 27 Authorizes health care providers to disclose medical records without first obtaining permission from the parents or the child to certain state agencies investigating a report of child abuse or neglect.

SC *1997 S. C. Acts, Act 3139*

Requires the state child welfare agency to visit children in foster care to assess if abuse or neglect is occurring. Requires placement plans for children in foster care to include the number of contacts a caseworker must have with the child.

SC *1997 S. C. Acts, Act 3541*

Allows copies rather than originals of x-rays and other medical reports to be sent to the state child welfare agency in connection with a report of child abuse.

TN *1997 Tenn. Pub. Acts, Chap. 486*

Requires the departments of children's services, human services, mental health and mental retardation and finance and administration to conduct a study and produce a report on establishing a statewide toll-free number for receiving reports of child abuse and neglect.

TX *1997 Tex. Gen. Laws, Chap. 575*

Sec. 2 Makes false reporting of child abuse while a suit affecting the parent-child relationship is pending grounds for restricting a parent's access to the child.

Sec. 14 Requires audiotaping or videotaping of interviews of children alleged to be abused.

Sec. 19 Specifies circumstances under which a perpetrator can be removed from the home.

TX *1997 Tex. Gen. Laws, Chap. 786*

Permits the court to include a finding on whether the party making an allegation of child abuse or neglect knew it was false. Establishes penalties if the party is found to have made false allegations.

TX *1997 Tex. Gen. Laws, Chap. 1022*

Sec. 68 Enhances the penalty for false reporting of child abuse when the reporter has previously been convicted of false reporting.

Sec. 57 Requires the state child welfare agency and the state Department of Mental Health to establish procedures to resolve disagreements over findings of child protective investigations in mental health facilities and to jointly use a single system to track such investigations.

Sec. 72 Requires the initiation of two pilot programs in which law enforcement agencies conduct investigations of child abuse reports. Requires that the state child welfare agency enter into agreements with local law enforcement agencies in the two pilot areas.

Sec. 73 Requires the videotaping or audiotaping of interviews of children alleged to have been the victims of physical or sexual abuse. Specifies certain notification requirements when investigations are closed.

Sec. 17 Directs the department to separate the investigatory and service delivery functions to the extent feasible.

Sec. 56, 71 Authorizes the state child welfare agency to prioritize reports of child abuse according to the degree of severity of the alleged harm. Requires the state to establish a flexible response system under which families reported for less serious abuse would be provided assessment and family preservation services. Authorizes a pilot program to test the flexible response system.

TX *1997 Tex. Gen. Laws, Chap. 1137*

Requires reports of child abuse or neglect to be investigated without regard to pending suits concerning the parent-child relationship.

TX *1997 Tex. Gen. Laws, Chap. 1217*

Requires inspections of listed family child care homes that have had a complaint of abuse or neglect filed against them.

TX *1997 Tex. Gen. Laws, Chap. 1281*

Authorizes the state to assign priorities in abuse, neglect or exploitation investigations in mental health facilities and community centers on the basis that a delay in the investigation will impede the collection of evidence.

TX *1997 Tex. Gen. Laws, HB 1929*

Sec. 1 Adds juvenile probation officers and juvenile detention or correction officers to the list of professionals required to report child abuse and neglect. Requires that a report of abuse or neglect in a public or private juvenile pre-adjudication or post-adjudication secure facility be filed with a local law enforcement agency, and that the local agency immediately notify the Texas Juvenile Probation Commission.

UT *1997 Utah Laws, SB 182*

Establishes additional children's justice centers for the investigation of sexual abuse and serious physical abuse of children. Expands the membership of local advisory boards for children's justice centers.

WA *1997 Wash. Laws, Chap. 282*

Sec. 2 Sets due process rights, procedures and notification requirements in child abuse and neglect investigations and records.

WA *1997 Wash. Laws, Chap. 305*

Sec. 1-9 Requires the department to disclose information regarding the investigation of or services provided to abused or neglected children under certain conditions, including the death of a child from abuse or neglect.

WA *1997 Wash. Laws, Chap. 386*

Sec. 9-12 Authorizes the creation of models of alternative response systems to reports of abuse and neglect. Defines "alternative response systems" as voluntary, family-centered services aimed at strengthening families at low risk for child abuse. Specifies that services are to be delivered by public or private providers through contracts with the state.

Sec. 42 Requires housing an offender under age 18 who is convicted in adult criminal court and who is sentenced to jail in a jail cell that does not contain adult offenders, until the offender reaches age 18.

Sec. 25 Requires the department to make reasonable efforts to learn the identification of those reporting child abuse, with appropriate confidentiality. Directs the department not to investigate anonymous reports of abuse or neglect unless the department believes there is a threat of serious harm to the child, the report indicates a criminal offense has occurred or is about to occur, or the department has investigated and founded a report of abuse or neglect against a household member within the previous three years.

Sec. 45 Clarifies the role of child protective services.

Sec. 47 Requires the department to prepare an annual quality assurance report that is to include the response time on CPS investigations.

Sec. 48 Requires the department to determine whether it is probable that the use of alcohol or controlled substances is a contributing factor in an abuse or neglect case.

Sexual Abuse and Exploitation

AL *1997 Ala. Acts, Act 97-486*
Makes it a criminal offense to solicit a child by computer with intent to perform a sexual act or to transmit by computer obscene material to a child.

AR *1997 Ark. Acts, Act 514*
Makes sexual abuse in the second degree applicable to city and county jail employees who engage in sexual contact with persons in their custody.

AR *1997 Ark. Acts, Act 626*
Requires notice and public hearing before construction of any community-based residential facility for sex offenders.

AR *1997 Ark. Acts, Act 817*
Makes indecent exposure a Class D felony when perpetrated against a person under age 12.

AR *1997 Ark. Acts, Act 831*
Expands definition of rape and sexual abuse to include institutionalized people who are incapable of consent because of mental incapacitation.

AR *1997 Ark. Acts, Act 970*
Makes the rule of evidence pertaining to the admissibility of evidence regarding a victim's prior sexual conduct applicable to prosecutions for all sexual offenses and incest.

AR *1997 Ark. Acts, Act 1188*
Prohibits anyone convicted of any sexual offense or incest perpetrated against a minor from residing in a residence with any minor upon release on probation or parole.

AR *1997 Ark. Acts, Act 1198*
Sec. 3 Adds several child sexual exploitation offenses to the list of criminal offenses that disqualify people from being owners, operators or employees of licensed or church-exempt child care facilities during periods of their confinement, probation or parole.

AR *1997 Ark. Acts, Act 1317*
Sec. 1 Allows convictions for misdemeanor sex offenses and misdemeanor violence to be used in making professional licensure decisions.

AR *1997 Ark. Acts, Act 1321*
Increases the penalty for incest from a Class C to a Class A felony if the victim is under age 16.

CA *1997 Cal. Stats., Chap. 935*
Makes eligible for financial assistance those parents who cooperate in the apprehension and conviction of persons who sexually abused their children. Revises standards applicable to recognized treatment programs for rehabilitation of child molesters under probation. Authorizes the court to suspend the sentence of a specified child molester upon receipt of a mental health report from the above treatment program.

CA *1997 Cal. Stats., Chap. 1080*
Sec. 2 Expands the definition of media for purposes of the child pornography statute.

Sec. 8 Exempts certain persons and entities that transmit or have access to electronic information from provisions of the child pornography laws. Allows an effort to restrict or prevent the transmission of certain information as a defense in a prosecution or civil action.

Sec. 10 Raises the age limit of children depicted engaging in sexual acts who must be reported as abused by certain film or photographic processors.

CT *1997 Conn. Acts, Act 151*

Requires that a person who pleaded no contest to a charge of sexual assault, and who becomes ineligible for court-ordered sexual offender treatment by reason of his refusal to admit that he committed the offense, shall be deemed to be in violation of his probation.

FL *1997 Fla. Laws, HB 83*

Authorizes a court to sentence a defendant convicted of sexual battery to be treated with medroxyprogesterone acetate (MPA).

FL *1997 Fla. Laws, HB 245*

Allows a prosecution for sexual battery to be commenced at any time.

FL *1997 Fla. Laws, HB 1027*

Defines "repeat sex offender" and "habitual sex offender." Establishes penalties. Sets mandatory minimum prison terms for sexual battery committed against children. Restricts downward departure from sentencing guidelines for certain sexual battery offenses involving children. Revises terms of probation for sex offenders.

GA *1997 Ga. Laws, HB 211*

Authorizes courts to require, as a condition of probation, a certain type of chemical treatment for those convicted of child molestation.

HI *1997 Hawaii Sess. Act 316*

Defines "sexually violent offense."

HI *1997 Hawaii Sess. Act 363*

Expands the definition of child abuse to include producing, making or possessing pornographic material involving minors. Defines "lascivious," "community standards," and "pornographic."

HI *1997 Hawaii Sess. Act 379*

Creates a Class A felony offense of continuous sexual assault of a minor. Defines "continuous sexual assault" as engaging in three or more sex acts with a minor or in a period of time while a minor is under age 14.

IL *1997 Ill. Laws, P. A. 68*

Sec. 2 Enhances the penalties for producing, manufacturing, distributing or possessing child pornography performances.

Sec. 5 Makes those convicted of producing, manufacturing, distributing or inducing child participation in pornography performances ineligible for alternatives to prison.

IL *1997 Ill. Laws, HB 157*

Prohibits the presence of child sex offenders within a defined school zone. Outlines exceptions.

IL *1997 Ill. Laws, HB 379*

Requires repeat offenses of luring or attempting to lure a child into a vehicle or building be punishable as a class 3 felony.

IL *1996 Ill. Laws, Act 89-462*

Sec. 215 Allows general courts martial convened by the governor to impose sentences for predatory criminal sexual assault of a child. Defines "predatory criminal sexual assault of a child." Sets a penalty.

Adds references to predatory criminal sexual assault of a child to related provisions of the criminal statutes.

IN *1997 Ind. Acts, Act 0144*

Sec. 5, 7-9 Requires certain hospitals to provide emergency services to victims of sex crimes free of charge and to be reimbursed by the state. Adds sexual battery and sexual misconduct with a minor to the list of sex crimes whose victims may be treated without cost.

IN *1997 Ind. Acts, Act 1476*

Increases the penalty for public indecency in a place where a child younger than 16 is present.

LA *1997 La. Acts, Act 743*

Removes the requirement that an offender engaged in indecent behavior with a juvenile be over age 17.

ME *1997 Me. Public Laws, Chap. 143*

Makes anyone, age 18 or older guilty of sexual misconduct with a child under 14 years old if the person knowingly displays sexually explicit materials to the child in order to encourage the child to participate in or submit to a sexual act. Defines sexually explicit materials.

MN *1997 Minn. Laws, Chap. 239*

Sec. 11 Imposes a gross misdemeanor penalty on a person who commits an interference with privacy crime against a minor under age 16.

MO *1997 Mo. Laws, SB 56*

Sec. A Creates the crime of sexual misconduct involving a child.

MT *1997 Mont. Laws, Chap. 516*

Sec. 2 Adds "other person responsible for a child's welfare" to the definition of sexual abuse.

NV *1997 Nev. Stats., File No. 124*

Encourages nonprofit organizations and governmental agencies that utilize volunteers to provide services to children to establish programs to protect children from sexual molestation.

NV *1997 Nev. Stats., Chap. 158*

Sec. 8, 9 Requires notifying certain school officials of juveniles who have committed sexual offenses. Prohibits a juvenile sex offender from attending the same school as the victim, except under certain circumstances.

Sec. 10 Permits the court to approve an alternative attendance plan for a child adjudicated delinquent for a sexual offense.

NV *1997 Nev. Stats., Chap. 206*

Prohibits genital mutilation of a female child and includes this act in the definition of child sexual abuse. Creates a penalty.

NV *1997 Nev. Stats., Chap. 369*

Defines motion picture for purposes of the law prohibiting the exhibition or sale of indecent material to minors.

NV *1997 Nev. Stats., Chap. 449*

Requires that presentence investigations of certain sex offenders include a psychosexual evaluation.

NV *1997 Nev. Stats., Chap. 455*

Provides a sentence of life imprisonment for a conviction of certain sex-related crimes against children. Specifies minimum terms before parole may be granted and sets forth supervision conditions that the parole board may impose.

NV *1997 Nev. Stats., Chap. 524*

Requires that inmates incarcerated for certain crimes, including incest and pornography crimes involving minors and child abuse, be certified as not constituting a menace before such inmates may be released on parole.

NV *1997 Nev. Stats., Chap. 529*

Sec. 9, 10 Makes a person age 21 or older, who works at a public or private school, college or university, and who engages in sexual conduct with an enrolled student age 16 or 17, guilty of a felony.

NV *1997 Nev. Stats., Chap. 554*

Prohibits the sale or rental of motion pictures that contain material harmful to minors unless there is a separate section labeled "Adults Only." Provides that distribution or exhibition of certain material to a minor constitutes a misdemeanor.

NH *1997 N. H. Laws, Chap. 305*

Makes an adoptive parent responsible for payment for subsequent services, placements and programs if the state determines that he or she was convicted of sexual or physical abuse of the adopted child or misappropriated adoption subsidy money.

NH *1997 N. H. Laws, HB 735*

Adds certain conduct by a person in authority to enforce criminal laws (including correctional officers) to that which constitutes aggravated felonious sexual assault.

NJ *1997 N. J. Laws, Chap. 60*

Establishes a penalty for those convicted of murder when the victim was less than age 14 and the homicide was committed during the commission of a sexual offense.

NY *1996 N. Y. Laws, Chap. 11*

Makes the possession of an obscene sexual performance by a child a Class E felony.

NY *1996 N. Y. Laws, Chap. 600*

Creates as a crime the disseminating indecent material to minors. Provides for affirmative defenses.

NY *1996 N. Y. Laws, AB 948*

Makes child sexual abuse in the first and second degrees punishable as a Class B felony and a Class C felony, respectively. Allows the period of limitation to begin running when the child reaches 18 or the offense is reported. Defines "sexual conduct" and "aggravated sexual conduct." Creates the offenses of course of sexual conduct against a child in the first and second degrees. Provides a five-year criminal statute of limitation. Requires concurrent sentences for conviction of such offenses and certain other offenses against the same child.

NY *1996 N. Y. Laws, HB 8549*

Creates the offense of aggravated sexual abuse in the third degree. Exempts conduct performed for a valid medical purpose.

ND *1997 N. D. Sess. Laws, SB 15*

Creates a safety zone for child victims of sex crimes.

ND *1997 N. D. Sess. Laws, SB 2153*
Defines felony of "continuous sexual abuse of a child" and limits a court's ability to suspend a sentence for such crime.

ND *1996 N. D. Sess. Laws, SB 2364*
Broadens definition of "sexual act," increases penalties for perpetrators of a sexual act or a sexual assault who are at least 22 years old, and limits imposition of suspended sentence for gross sexual imposition.

OK *1997 Okla. Sess. Laws, HB 1729*
Defines "predatory" sex offender.

RI *1997 R. I. Pub. Laws, Chap. 6242*
Creates a special assessment of $100 to be paid by anyone who is convicted of committing a sexual assault. Requires anyone who has committed a sexual assault upon a minor to pay the cost of any necessary medical, psychological or psychiatric treatment.

TN *1997 Tenn. Pub. Acts, Chap. 214*
Extends statute of limitations for sexual offenses committed against a child to the date the child is 21.

TN *1997 Tenn. Pub. Acts, Chap. 256*
Sec. 1 Defines "sexual battery by an authority figure."

Sec. 3 Defines "coercion."

TX *1997 Tex. Gen. Laws, Chap. 665*
Requires a sentence of life in prison for those convicted a second time of certain crimes, including aggravated kidnapping, sexual assault and other sex offenses.

TX *1997 Tex. Gen. Laws, Chap. 667*
Restricts the granting of deferred adjudication and community supervision in the sentencing of certain sex offenders.

TX *1997 Tex. Gen. Laws, Chap. 669*
Requires counseling sessions and a polygraph to evaluate treatment progress as a condition of probation if the juvenile offender is convicted of a sexual offense against another child. Requires similar tests for release. Requires parental attendance in instructional sessions and participation in monthly treatment groups during the period in which the child attends counseling. Requires two-year minimum probation for juvenile offenders convicted of certain felony sexual offenses.

TX *1997 Tex. Gen. Laws, Chap. 740*
Extends the statute of limitations for sexual offenses against children to 10 years from the victim's 18th birthday.

TX *1997 Tex. Gen. Laws, Chap. 836*
Requires the parole division to notify the sheriff of any county in which the total number of paroled sex offenders exceeds 10 percent of the statewide total. Prohibits sex offender parolees to be placed in counties where the number of such parolees exceeds 22 percent of the statewide total and specifies circumstances that exclude parolees from this provision.

TX *1997 Tex. Gen. Laws, Chap. 933*
Replaces references to "film image" with "visual material" in the statute relating to child pornography.

TX *1997 Tex. Gen. Laws, Chap. 1286*

Makes it an offense for anyone to knowingly cause the mouth of a child to contact the anus or sexual organ of another person.

TX *1997 Tex. Gen. Laws, Chap. 1430*

Sec. 5-7 Authorizes the court to extend the community supervision period for sex offenders for up to 10 years for certain sex offenses. Requires the establishment of a super-intensive supervision program for certain parolees. Permits use of a separate classification system that requires sex offenders found to need treatment to participate in treatment.

VA *1997 Va. Acts, Chap. 330*

Reduces from age 14 to age 12 the age limit of minors presumably physically capable of rape.

WA *1997 Wash. Laws, Chap. 52*

Sec. 1-4 Requires that if a child victim of rape becomes pregnant, restitution must include all the victim's medical expenses associated with the rape and pregnancy. Adds impregnating a child victim of rape to the list of aggravating factors for purposes of imposing an exceptional sentence.

WA *1997 Wash. Laws, Chap. 70*

Sec. 1 Adds the crimes of rape of a child in the first degree, child molestation in the first degree and homicide by abuse and assault of a child with sexual motivation to the "two strikes" portion of the definition of "persistent offender."

WA *1997 Wash. Laws, Chap. 339*

Sec. 1 Adds rape of a child in the first and second degrees to the sex offenses listed in the "Two Strikes and You're Out" law, with some age restrictions.

WA *1997 Wash. Laws, Chap. 386*

Sec. 49-55 Requires that the department develop a policy for assessing the sexual aggressiveness and vulnerability to sexual victimization of children or youth placed in state-operated or state-funded residential facilities. Requires the implementation of an assessment process, as well as the development of placement criteria, and a report and evaluation to the Legislature.

WV *1997 W. Va. Acts, Chap. 76*

Defines "sexually violent predator" and "predatory act." Identifies person responsible for determining if offender is a sexually violent predator.

WV *1997 W. Va. Acts, Chap. 76*

Specifies timeline for notifying state police upon release or probation of a convicted sex offender. Details new information required in the notice.

WY *1997 Wyo. Sess. Laws, Chap. 135*

Clarifies the penalties for various sex crimes.

Sex Offender Registries

AR *1997 Ark. Acts, Act 737*

Establishes a DNA database containing DNA samples submitted by convicted sex offenders.

AR *1997 Ark. Acts, Act 989*

Requires the registration of child sex offenders and sexually violent predators. Provides for community notification of the release of such offenders and predators. Requires the Child Abuse/Rape/Domestic Violence Commission to establish an evaluation protocol for qualified examiners to use in assisting courts with sexually violent predator determinations.

CT *1997 Conn. Acts, Act 183*

Extends the sexual offender registration requirements to those convicted or found guilty of a sex offense by reason of mental disease or defect before January 1, 1995. Allows public access to the registry under the freedom of information law.

DE *Vol. 71 Del. Laws, HB 352*

Makes technical amendments to the sex offender registration statute to bring the state into compliance with the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Program, 42 USC 14071.

FL *1997 Fla. Laws, HB 393*

Sec. 5, 8 Allows law enforcement authorities to notify the community of the presence of a sexual predator in a manner they deem appropriate. Makes technical amendments to the registration requirements for sexual predators. Requires sexual predators to register at a driver's license office if they change residence and to obtain a driver's license or identification card. Requires the state to notify the public of all sexual predators through the Internet. Provides procedures for reporting and penalties for failure to report.

Sec. 7 Requires the state to provide a toll-free telephone number for public access to nonconfidential information regarding sex offenders. Requires the state to provide copies of photographs of sex offenders or sexual predators upon request. Provides the state with immunity from civil liability for good-faith compliance with these requirements.

Sec. 9-12 Requires the Department of Corrections to provide information to the Department of Law Enforcement about sex offenders who are in custody, including a digitized photograph of all sex offenders to be released from custody. Requires law enforcement authorities to verify if a person under arrest or investigation for certain sexual offenses is on probation, parole or other conditional release and to notify the person's probation officer.

HI *1997 Hawaii Sess. Act 316*

Sec. 2 Strengthens requirement that certain persons, including those convicted of a criminal offense against a minor or of a sexually violent offense, register with law enforcement. Requires the release of such information to certain government agencies. Allows the attorney general and county police to release certain information necessary to protect the public. Outlines registration requirements, access to registration information, duties upon discharge, parole or release of sex offenders and penalties for failure to comply.

HI *1997 Hawaii Sess. Act 316*

Sec. 3 Permits the taking of saliva and blood samples from certain persons convicted of sex offenses.

IL *1997 Ill. Laws, P. A. 193*

Sec. 15 Requires registration with local police as a sex offender for committing or attempting to commit incest, indecent child solicitation, child sexual exploitation or criminal sexual abuse. Requires proof of address upon registration. Mandates life-long registration for persons deemed "sexually dangerous." Fines sex offenders who fail to register. Authorizes state police to use any state database to locate persons required to register. Expands the Community Notification Law to include those required to register as sex offenders.

IL *1997 Ill. Laws, HB 379*

Requires registration as a sex offender when convicted of luring or attempting to lure a child into a vehicle or building.

IL *1996 Ill. Laws, Act 89-462*

Requires law enforcement agencies to maintain a child sex offender database and to notify school boards, child care facilities and certain other agencies of the presence of such offenders within their jurisdictions. Allows law enforcement agencies to similarly notify anyone likely to encounter a child sex offender.

Sec. 197 Expands the definition of "sex offender" to include any person who is charged with a sex offense and found not guilty by reason of insanity or who is the subject of certain other findings not resulting in an acquittal, and any person certified as a sexually dangerous person. Also expands the definition of "sex offense" to include kidnapping, unlawful restraint and first degree murder of a child. Requires registration of child murderers.

Sec. 310 Prohibits anyone who is required to register as a sex offender from filing a petition for a name change.

IL *1996 Ill. Laws, Act 89-550*

Requires those found delinquent under the Juvenile Court Act of 1987 for a sexual offense to submit blood specimens to the state police for analysis and categorizing into genetic marker groupings.

IN *1997 Ind. Acts, Act 144*

Sec. 1, 6 Specifies the crimes that require perpetrators to be registered on the sex offender registry. Deletes a condition of registration that victims be less than 18 years old.

LA *1997 La. Acts, Act 928*

Requires juvenile sex offenders to be subject to the same registry and notification requirements as adult sexual offenders, with exceptions.

LA *1997 La. Acts, Act 1135*

Modifies timeframes regarding registration of certain sex offenders and community notification. Requires a sex offender to notify schools within a one-mile radius of his domicile, and for the schools to post notices regarding the offender's presence in the community. Requires sex offenders to notify landlords and owners of property where they reside.

LA *1997 La. Acts, Act 1147*

Requires sexually violent predators to register with law enforcement authorities and notify the community of their presence. Requires that registration shall be maintained for life. Provides for registration and notification upon every change of address. Provides for release of certain information to the public.

LA *1997 La. Acts, Act 1148*

Requires that notice of release of sex offenders be published in a newspaper meeting certain criteria.

ME *1997 Me. Public Laws, Chap. 548*

Requires the Department of Corrections to give notice of a judgment against a juvenile sex offender to licensed day care facilities and, upon request, to other child care entities that are located in the municipality in which the juvenile lives, works or attends school.

MD *1997 Md. Laws, Chap. 754*

Requires registration of sexually violent offenders, sexually violent predators and certain other offenders. Requires registrants to provide notice of changes of address. Defines sexually violent predators and establishes a procedure for determining whether a convicted sex offender is a sexually violent predator. Specifies procedures for the disclosure of registration information. Establishes a penalty for knowing failure to register.

MA *1996 Mass. Acts, Chap. 239*

Creates a sex offender registry board and requires the maintenance of a central computerized registry of all sex offenders. Requires sex offenders to register with their local police department. Establishes a penalty for failure to register. Establishes procedures for disclosure of information upon request. Specifies three levels of risk of reoffense for purposes of community notification and sets forth notification procedures applicable to each level. Provides for a right to challenge certain determinations of risk of reoffense.

MN *1997 Minn. Laws, Chap. 239*

Sec. 1-13 Modifies sex offender notice and registration procedures. Clarifies powers of committees charged with assessing risk posed by offenders about to be released. Mandates disclosure of certain information by law enforcement agencies. Clarifies which law enforcement agency shall receive information about a sex offender about to be released. Modifies procedures regarding administrative review of an offender's risk assessment determination. Authorizes probation review and extension of probation if an offender fails to complete court-ordered treatment. Requires the state to collaborate with certain federal officials to develop a community notification plan regarding sex offenders released from federal prisons in the state.

MO *1997 Mo. Laws, SB 56*

Sec. A Makes public record the name, address and offense of any registered sex offender.

NV *1997 Nev. Stats., Chap. 451*

Creates a statewide registry for information regarding sex offenders and those who commit certain crimes against children. Divides responsibility for obtaining and transmitting registration information among certain state agencies and local law enforcement agencies. Expands existing community notification provisions. Expands requirements regarding genetic testing to include sex offenders and violent offenders. Authorizes the imposition of fees to cover the cost of testing. Requires special conditions for sex offenders released on probation or parole.

NV *1997 Nev. Stats., Chap. 654*

Requires the court to provide victims and witnesses of certain sex crimes with specific documents informing them of their right to receive notification when the offender is released from prison.

ND *1997 N. D. Sess. Laws, HB 1048*

Defines "sexually violent predator" and authorizes the evaluation of convicted sex offenders by a board of qualified experts to determine if he or she is a sexually violent predator.

ND *1997 N. D. Sess. Laws, SB 2030*

Requires the state attorney general to maintain a database regarding juveniles who commit sexual assaults.

ND *1997 N. D. Sess. Laws, SB 2055*

Makes it a misdemeanor to provide child care if the provider is required to register as a sexual offender or has been denied licensing or registration.

OH *1996 Ohio Laws, HB 180*

Sec. 1 Establishes a new sentencing structure for convicted sexual violent offenders who also are convicted of being sexually violent predators. Replaces the existing habitual sex offender registration requirements with new registration and periodic address verification procedures. Provides for community notification upon registration of a sex offender who is also a sexual predator or a habitual sex offender. Mandates a prison term if the victim of a gross sexual imposition or sexual battery is under age 13 and the offender is a repeat offender.

OK *1997 Okla. Sess. Laws, HB 1729*

Allows local law enforcement to notify the public of the presence of predatory sex offenders. Specifies reporting requirements.

OK *1997 Okla. Sess. Laws, HB 1927*

Sec. 1 Requires courts to determine whether anyone seeking custody, guardianship or visitation has been required to register as a sex offender. Creates a rebuttable presumption against granting custody, guardianship or visitation to a registered sex offender.

SD *1997 S. D. Sess. Laws, HB 1071*

Requires that certain juveniles register with the sex offender registry. Allows for the removal of certain persons from the sex offender registry. Revises the age for certain sex crimes.

TX *1997 Tex. Gen. Laws, Chap. 668*

Revises certain aspects of the sex offender registration requirements, including requiring status reports by the supervising officer and law enforcement verification of registration. Increases the penalty for failure to comply with sex offender registration requirements.

VA *1997 Va. Acts, Chap. 670*

Allows individuals seeking child-minding or day care services access to the sex offender registry to perform an employment or volunteer background check on a specified person, with that person's permission. Makes unauthorized dissemination of registry information a misdemeanor.

Requires those convicted of certain sexual offenses to provide additional information including fingerprints, photograph and current address as part of registration with the sex offender registry.

VA *1997 Va. Acts, Chap. 747*

Expands the sex offender registry to include crimes against minors. Increases the number of offenses for which registration is required. Specifies registration requirements. Outlines procedures for relief from registration and removal from the registry for sexually violent offenders. Directs the state police to transmit registration information to the National Sex Offender Registry. Establishes a crime for failure to register. Sets sex offender registration procedures for convicted child sexual abuse offenses.

WY *1997 Wyo. Sess. Laws, Chap. 78*

Allows the district court, following notice and opportunity for hearing, to authorize the release of information regarding registered sex offenders if the court finds the offender at risk of reoffending. Specifies factors the court is to consider in determining the risk of reoffense.

CHILD CARE AND EARLY CHILDHOOD EDUCATION

Administration

AR *1997 Ark. Acts, Act 939*

Permits coordination with neighboring states to provide regular or therapeutic child care. Provides conditions.

AR *1997 Ark. Acts, Act 1132*

Sec. 4, 24 Transfers that part of the Department of Education pertaining to early childhood education to the Department of Human Services and creates the Division of Child Care and Early Childhood Education. Changes the membership of the Early Childhood Commission.

CT *1997 Conn. Acts, P. A. 259*

Sec. 41 Requires Hartford to establish a local school readiness council that includes a range of early childhood providers.

CT *1997 Conn. Acts, P. A. 259*

Sec. 5-7 Requires the commissioner of education to consult with the commissioner of social services about awarding school readiness grants.

HI *1997 Hawaii Sess. Act 77*

Allows a private, nonprofit corporation to contract with the state to develop policy recommendations on a coordinated early childhood education and care system and to oversee the establishment of a community council in each county. Authorizes membership appointment for the corporation's board. Sets membership qualifications and responsibilities of the community councils. Establishes a temporary interdepartmental council to assist the corporation to include the directors of certain state departments. Requires the interdepartmental council and the corporation to approve community council plans and determine their funding levels.

IL *1997 Ill. Laws, Act 507*

Sec. 5.15 Specifies that the responsibilities of the new Department of Human Services include coordination of state child care activities and development of a resource and referral system. Requires a comprehensive annual plan that identifies high priority areas and groups, assesses needs and available resources, and recommends methods for developing additional resources

ME *1997 Me. Public Laws, Chap. 68*

Creates a task force to study strategies to support parents as children's first teachers. Requires the task force to design a comprehensive model of early childhood education and parent support including child development information, referrals for parents, and opportunities for families to meet and share issues; catalog and review existing programs; and investigate ways to establish a statewide resource center. Encourages drawing on other states' programs and investigating potential funding sources. Requires a report with recommendations and implementing legislation to strengthen parent support and early childhood education services.

MN *1997 Minn. Laws, Chap. 162*

Sec. 56 Allows, rather than requires, a statewide advisory task force to convene and advise the state on early childhood grants and changes membership.

Background Checks and Screening

AR *1997 Ark. Acts, Act 1019*

Requires criminal background checks for applicants and employees of state agencies in positions involving contact with children. Lists offenses requiring discharge or disqualification from employment.

AR *1997 Ark. Acts, Act 1132*

Sec. 18 Requires the state to use the Child Care Fund for criminal records checks for child care owners, operators and employees.

AR *1997 Ark. Acts, Act 1198*

Sec. 1-2 Requires a background check for child care employees, operators and owners of licensed and church-operated exempt facilities every 2 years. Allows the rejection of a license or of an employee if a criminal prosecution is pending.

Sec. 3-4 Adds to the list of criminal offenses that disqualify licensed and church-exempt child care owners, operators and employees during periods of confinement, probation or parole. Allows reapplication after 5 years with evidence of rehabilitation. Defines related terms.

CA *1996 Cal. Stats., Act 235*

Prohibits from receiving a child care license those convicted of certain sexual offenses that require registration with police.

CT *1997 Conn. Acts, P. A. 259*

Sec. 33, 36, 38 Requires a criminal records check of prospective child care employees. Requires a child abuse registry check. Requires a criminal records check and a child abuse registry check for nonrelative care providers who receive a state subsidy. Prohibits state funding to providers who have been convicted of specified crimes against children. Establishes fees for checks.

DE *Vol. 71 Del. Laws, SB 132*

Prohibits operators of health care and child care facilities from hiring anyone without first requesting a child abuse registry check. Specifies a penalty for failure to comply.

DE *Vol. 71 Del. Laws, Act HB 385*

Requires child care employers to request and receive an adult abuse registry check to hire a person for employment.

IL *1996 Ill. Laws, Act 89-462*

Sec. 230 Adds predatory criminal sexual assault of a child to the list of offenses for which applicants for a child care license or child care employment must be screened. Also disqualifies any one declared a sexually dangerous person.

IA *1997 Iowa Acts, Chap. 45*

Requires criminal record checks for all providers and residents of a child care facility that receives public funding.

ME *1997 Me. Public Laws, SB 28*

Requires background investigation checks for child care providers who receive public funds and who care for one or two children.

NM *1997 N. M. Laws, Chap. 251*

Authorizes the suspension or revocation of a child care license for convictions in trafficking in controlled substances, child abuse or related sexual offenses.

ND *1997 N. D. Sess. Laws, SB 2055*

Makes it a misdemeanor to provide child care if the provider is required to register as a sexual offender or has been denied licensing or registration.

OK *1997 Okla. Sess. Laws, HB 2133*

Sec. 20 Requires criminal background investigations for employees of a child care facility and for employees or adults residing at a licensed or approved child care program at a private residence. Provides exemptions and sanctions.

TX *1997 Tex. Gen. Laws, Chap. 664*

Requires a criminal history check on accredited child care facility owners, operators and employees.

TX *1997 Tex. Gen. Laws, Chap. 1022*

Sec. 29, 33 Requires applicants to undergo a background search on the central registry of reported cases of child abuse or neglect before a license, registration or certification may be issued or renewed. Requires background and criminal history checks upon application for a license, registration or certification of a child care facility and every 24 months after for owners, operators, directors, employees and specified persons residing in the home or facility.

TX *1997 Tex. Gen. Laws, Chap. 1217*

Requires owners, operators, and employees of family child care homes to undergo background and criminal history checks.

UT *1997 Utah Laws, HB 113*

Sec. 9 Requires a criminal history check for a child care license to be issued or renewed. Allows for fingerprints and provides exceptions. Lists who may be checked.

UT *1997 Utah Laws, HB 307*

Sec. 15 Authorizes the state to require an FBI criminal history background check on all applicants seeking a license to provide services relating to child care, child placing, youth programs and foster care.

VA *1997 Va. Acts, Chap. 427*

Allows certain applicants for child care licenses or registration to submit selected financial records in lieu of complete financial records.

Financing/Employer Supported Programs

AR *1997 Ark. Acts, Act 1132*

Sec. 5 Requires the Division of Child Care and Early Childhood Education to provide consultation resources for private sector development of child care programs and facilities.

CT *1997 Conn. Acts, P. A. 259*

Sec. 12-18 Requires low-interest loans for construction or renovation of a range of early childhood programs or for helping them comply with regulatory requirements. Establishes a quasi-public agency to coordinate child care facilities financing. Establishes a loan guarantee program for development or expansion of child care or development centers. Establishes maximum amounts and rules. Requires priority for accredited programs, programs with a school readiness plan, and those promoting co-location. Establishes a child care direct loan program. Allows for bonds to be issued with maximum amounts for the loan guarantee fund and the direct loan program. Requires the state facility plan to include child care facilities providing full-day, year-round programs, accredited programs, and those integrated with school readiness programs.

IL *1997 Ill. Laws, HB 90-236*

Requires the state to analyze the types of child care needs for low-income and welfare families, including child care facilities and homes, before and after school care, and early morning, evening and weekend care. Requires a state plan on how to improve these services. Requires the state Health Facilities Authority to make low-interest loans for centers and homes serving children of low-income families.

MA *1996 Mass. Acts, Chap. 413*

Establishes the "Invest in Children" license plate program to raise funds to improve child care services through teacher training, parent education, the purchase of educational curricula and materials, bilingual training and curricula, and technical assistance for NAEYC accreditation.

NV *1997 Nev. Stats., Chap. 637*

Requires large employers to conduct a study upon employee request to assess the child care needs of employees and determine whether the employer should offer on-site child care or reimburse employees for child care under certain conditions.

NV *1997 Nev. Stats., Chap. 664*

Allows a business tax credit not to exceed 50 percent of total tax liability to businesses that provide on-site child care or vouchers for licensed child care to employees who earn 150 percent or less of the FPL. Exempts employers from liability relating to child care provided under certain conditions.

TX *1997 Tex. Gen. Laws, Chap. 1162*

Allows the state comptroller to place a linked deposit with a lending institution after a loan to a child care provider. Allows the state to discontinue the deposit if the loan is extended or changed. Allows the state to modify the loan's interest rate. Requires the state to market the program to eligible borrowers. Limits loan amounts to $250,000.

Low-Income/Welfare Reform

CO *1997 Colo. Sess. Laws, SB 97-120*

Sec. 1 Requires the state to establish child care provider reimbursement rates for counties and allows a county to negotiate its own rates with providers. Lists factors to determine the amount of each county's child care block grant for FY 1998 and FY 1999. Requires counties to maintain FY 1997 child care funding levels. Requires counties to make families eligible for child care if their incomes are below 130 percent of the FPL . Allows counties to provide child care to families up to 185 percent of the FPL or to families that are in transition from the Works program. Requires a copayment from families receiving child care assistance based on a state-set formula. Authorizes counties to develop a voucher system for families to choose relative or unlicensed child care.

CO *1997 Colo. Sess. Laws, SB 97-174*

Establishes a community consolidated child care program in 12 pilot site agencies for full-day, full-year early childhood services for low-income families, especially families participating in work activities related to welfare reform. Requires participating sites to consolidate child care subsidies and state preschool funds. Allows pilot site agencies to use federal Head Start funds and certain school district funds. Requires certain health, nutritional and educational services, parent education, home visits and special needs services. Requires collaboration, regional distribution and an evaluation.

CT *1997 Conn. Acts, P. A. 259*

Sec. 18, 28, 30, 32, 34 Establishes the income eligibility limit for subsidized child care at 50 percent of SMI and allows the state to raise it to 75 percent of State Medium Income. Requires the state to establish priority populations for eligibility and a waiting list. Requires health and safety standards for subsidized providers who are exempt from licensure. Requires a reimbursement system that accounts for differences in the child's age, family size, geographic region, type and cost of care, and accreditation. Requires supplemental reimbursement for special needs of a child and extended nontraditional hours. Requires an annual rate review process to assure equal access. Requires an annual report on the state's waiting list to the governor and legislature. Requires licensed providers to inform the state about certain health services. Defines night care and year-round care. Requires state-funded child care providers to help parents educate their children, set goals for them, assist their communication with providers, and support active parent involvement.

CT *1997 Conn. Acts, P. A. 259*

Sec. 1-8, 39 Establishes a school readiness prekindergarten grant program for children age 3 to 5 in towns with school districts or schools defined as serving a minimum number of certain poor students. Requires that eligible program providers include local and regional boards of education, regional educational service centers, family resource centers, child care providers, Head Start providers, preschool programs and other programs meeting state-set education standards. Requires interagency consultation on awarding school readiness grants and coordination with other programs for resources. Requires preferences for full-day and year-round child care for children of parents who are working, in training or education. Requires parent involvement, education and outreach, certain health services, transition to kindergarten plans, and the child care sliding fee scale. Excludes school readiness programs' child care costs from counting toward the per-child cost limit. Requires grantees to establish local councils with specified members to make recommendations about the grant. Requires supplementary quality enhancement grants. Increases financial assistance to elementary school buildings that include space for school readiness programs. Requires a full-day kindergarten preference for students who have attended a school readiness program.

GA *1997 Ga. Laws, SB 104*

Sec. 6 Allows the provision of child care services to an individual who is participating in a community service program to count as a work activity.

Sec. 6 Requires a report detailing the number of children receiving subsidized child care and the average cost.

IL *1997 Ill. Laws, P. A. 17*

Sec. 9A-11 Requires the state to provide child care services, to the extent resources permit, to TANF recipients, families that are making the transition from TANF to work, families at risk of receiving TANF, families with special needs, and working families with very low incomes. States intent to establish an income eligibility threshold of 50 percent of the State Medium Income, to the extent resources permit. States belief that families are responsible for sharing in child care costs. States preference that all working poor families be treated equally regardless of their welfare status. Requires a copayment based on family income, size, and number of children in care. Requires the state to conduct a market rate survey.

IL *1997 Ill. Laws, Act 507*

Sec. 5.15-5.20 Requires that the new Department of Human Services (DHS) conduct child care planning with priorities that include service to children of recipients of public assistance that allow training or employment of the parent, maximum employment of public aid recipients in child care centers and homes, care of children from families in stress and crises, location of centers in economically depressed neighborhoods, support services to ensure parents' education and job training, and full utilization of federal funds. Allows DHS to provide child care services to former recipients of public assistance.

IL *1997 Ill. Laws, P. A. 90-236*

Requires the state to analyze the types of child care needs for low-income and welfare families, including child care facilities and homes, before and after school care, and early morning, evening and weekend care. Requires a state plan on how to improve these services. Requires the state Health Facilities Authority to make low-interest loans for centers and homes serving children of low-income families.

IA *1997 Iowa Acts, Chap. 41*

Allows a child care deduction when considering monthly benefit amount. Grants 24 months of transitional child care for recipients who lose eligibility for cash assistance because of increased wages.

ME *1997 Me. Public Laws, Chap. 530*

Sec. A-16 Provides transitional child care to individuals who leave cash assistance because of increased earnings.

Sec. A-19 Requires the department to provide child care for recipients who participate in work activities.

MN *1997 Minn. Laws, Chap. 162*

Sec. 3, 22 Permits 7 percent of the Child Care Fund to be spent on short-term, at-home infant care for children under age 1 by parents eligible for the basic sliding fee program. Specifies a lifetime limit of 12 months and sets the maximum reimbursement rate at the 75th percentile of county market rates. Authorizes depositing license fees in the fund.

Sec. 11, 16, 17, 40 Specifies that families eligible for portable basic sliding fee assistance are given third priority for child care assistance, after families without a high school diploma or GED or who lack employment skills and families who have made the transition from welfare. Requires a portability pool to provide child care assistance to basic sliding fee eligible families who move between counties. Allows direct payments to providers or to parents for eligible child care expenses.

Sec. 23-24 Establishes in one pilot county a one-year child care assistance diversion program for eligible families enrolled in training or education programs. Sets qualifying conditions and funding limits.

Sec. 30, 33, 37 Limits the amount of child care assistance a family may receive per child in a two-week period. Specifies amounts of child care assistance hourly and non-hourly workers may be eligible to receive. Requires monthly parent child care fees for families earning above 75 percent of the FPL and requires a $5 minimum fee for families earning between 75 percent and 100 percent of the FPL. Requires such fees to be established in rule at a fixed percentage of the family's annual gross income, based on state median income.

Sec. 32, 35 Excludes from the definition of government employees child care providers who receive federal, state, or local funds . Outlines procedures for state recovery of overpayments of public child care funds.

Sec. 28 Requires recipients of child care assistance to cooperate in paternity establishment and child support enforcement procedures.

MN *1997 Minn. Laws, Chap. 162*

Sec. 19 Allows participants in required work activities or job search to be eligible for child care assistance.

MS *1997 Miss. Laws, Chap. 316*

Sec. 3 Allows the department to pay for child care for recipients who participate in work activities. Allows transitional child care to be provided for up to 24 months.

MT *1997 Mont. Laws, HB 317*

Sec. 34 Exempts recipients from work requirements if state-funded child care is not available.

NH *1997 N. H. Laws, HB 646*

Increases the child care assistance eligibility limit to a gross monthly income of 185 percent of the FPL. Appropriates $500,000 for FY 1998 and $500,000 for FY 1999.

NJ *1997 N. J. Laws, Chap. 13*

Sec. 5 Requires that after-school child care for children over age 6 be included in the state's child care support services to welfare recipients.

Sec. 5 Requires a copayment for employed recipients and former recipients who receive child care assistance.

Sec. 6 Allows community colleges providing child care to recipients participating in a work activity to receive a subsidy for child are services.

NY *1996 N. Y. Laws, Chap. 717*

Requires reimbursement of caretaker relatives who provide child care for public assistance recipients prior to payment arrangements with the social services district. Replaces the child care disregard for relative care with direct payment unless necessary.

TX *1997 Tex. Gen. Laws, Chap. 684*

Creates a pilot program to train public assistance recipients as child care providers. Allows funds to be used for additional training and for start-up costs for establishing a trainee's own child care business.

WA *1997 Wash. Laws, Chap. 58*

Sec. 405 Requires the department to train 250 recipients to become child care providers. Requires these recipients to provide child care to other participants for 2 years following completion of training.

Preschool Services

CA *1996 Cal. Stats., Chap. 783*

Reestablishes the American Indian Early Childhood Education Program to serve pre-kindergarten, kindergarten, and students in grades 1-4 to increase competence in reading and mathematics. Creates a districtwide advisory committee and a parent advisory group to assist in the decision-making process.

CO *1997 Colo. Sess. Laws, SB 97-174*

Establishes a pilot community consolidated child care program in 12 pilot site agencies for full-day, full-year early childhood services for low-income families, especially families participating in work activities related to welfare reform. Requires participating pilot site agencies to consolidate child care subsidies and state preschool funds. Allows pilot site agencies to use federal Head Start funds and certain school district funds. Requires certain health, nutritional and educational services, parent education, home visits and special needs services. Requires collaboration, regional distribution and an evaluation.

CT *1997 Conn. Acts, P. A. 259*

Sec. 1-8, 39 Establishes a school readiness prekindergarten grant program for children aged 3 to 5 in towns with school districts or schools serving a minimum number of certain poor students. Requires that eligible providers include local and regional boards of education, regional educational service centers, family resource centers, child care providers, Head Start providers, preschool programs and other programs meeting state-set education standards. Requires interagency consultation on awarding school readiness grants and coordination. Requires preferences for full-day and year-round child care for children of parents who are working, in training or education. Requires parent involvement, education and outreach, certain health services, transition to kindergarten plans, and the child care sliding fee scale. Excludes school readiness programs' child care costs from counting toward the per child cost limit. Requires local councils to make recommendations. Requires supplementary quality enhancement grants. Increases financial assistance to elementary school buildings that include space for school readiness programs. Requires a full-day kindergarten preference for students who have attended a school readiness program.

MN *1997 Minn. Laws, Chap. 162*

Sec. 18 Appropriates $18,750,000 to Head-Start in each fiscal year during the FY 1998-99 biennium.

VA *1997 Va. Acts, Chap. 394*

Requires that the parental involvement components for at-risk 4-year-old programs include activities to promote family literacy.

Regulation and Licensing

AR *1997 Ark. Acts, Act 871 and 870*

Requires that children be age-appropriately immunized to enroll or re-enroll in a child care facility. Allows exemptions for religious and other reasons. Allows additional immunization requirements.

AR *1997 Ark. Acts, Act 934*

Allows children to provide child care as employees of a church while parents are attending services.

AR *1997 Ark. Acts, Act 1056*

Applies the enhanced penalty for selling controlled substances within 1,000 feet of a child care center and adds the offense of possessing with intent to deliver.

CA *1996 Cal. Stats., Chap. 18*

Increases the maximum numbers of children that large and small family child care homes may serve under certain conditions.

CA *1997 Cal. Stats., Chap. 263*

Requires information and instructional materials relating to sudden infant death syndrome be provided to parents or guardians of newborns, hospitals, family child care homes and child care facilities.

CA *1996 Cal. Stats., Chap. 643*

Creates the Earthquake Preparedness Checklist for use by licensed child care centers and family child care homes.

CT *1997 Conn. Acts, P. A. 259*

Sec. 2, 11 Requires certain state regulatory standards and continuing staff education training for school readiness programs. Requires evaluations of licensed child care centers, including a longitudinal study of children served, and a report to the legislature.

Sec. 19 Requires the state and child care providers to develop guidelines for state-contracted centers on and quality standards and identification of short- and long-term outcomes for participating families.

CT *1997 Conn. Acts, P. A. 259*

Sec. 28, 30-31 Requires health and safety standards for subsidized providers exempt from licensure. Extends the child care licensing amnesty program and clarifies that exemptions apply to retroactive penalties. Allows providers to operate during participation in the amnesty program.

Allows low-interest loans to be used for helping child care programs comply with regulatory requirements.

FL *1997 Fla. Laws, SB 630*

Bases staff-to-child ratios on the majority age group requirement when all children present are over age 2. Requires licensed family child care homes and all facilities offering evening or weekend care to meet minimum standards.

FL *1997 Fla. Laws, Chap. HB 305*

Prohibits the sale, delivery or possession of controlled substances within 1,000 feet of a child care facility and provides penalties.

HI *1997 Hawaii Sess. Act 250*

Exempts from child care facilities regulation after-school, weekend and summer recess programs conducted by the Department of Education, county programs for children age 5 or older, and anyonr caring for only children in a household.

ID *1997 Idaho Sess. Laws, HB 244*

Delineates age groups for child-staff ratios in child care centers.

IA *1997 Iowa Acts, Chap. 151*

Permits registration of group child care homes to two providers. Limits the number of children allowed in a group child care home, with pilot program exceptions. Creates a pilot program that allows child care home providers to choose from among four different registration levels. Specifies minimum standards to be determined by rule.

ME *1997 Me. Public Laws, SB 28*

Requires child care centers to be licensed and home child care providers caring for more than two children to be certified. Requires specific rules to be promulgated for licensed and certified providers. Requires biennial inspections of child care centers, nursery schools and certified home providers and allows inspections of uncertified providers.

ME *1997 Me. Public Laws, Chap. 150*

Extends the prohibition on smoking in family child care homes to include adjacent rooms where smoke could enter children's areas.

MD *1997 Md. Laws, Chap. 328*

Extends the Family Day Care Provider Direct Grant Fund, which reimburses family day care providers for complying with state and local regulations.

MN *1997 Minn. Laws, Chap. 162*

Sec. 61 Requires recommendations for licensing of child care programs and providers, core competencies and training requirements.

MN *1997 Minn. Laws, Chap. 162*

Allows family child care homes to remain registered when in compliance with annual continuing education requirements, instead of requiring biennial registration. Sets license fees and deposits them in the newly established Child Care Fund.

MN *1997 Minn. Laws, Chap. 248*

Sec. 7-8 Defines supervision in child care centers as sight and hearing at all times. Requires a specific supervisory component. Mandates that center in-service training requirements be transferable upon staff employment change to another child care program.

MN *1997 Minn. Laws, Chap. 248*

Sec. 5-6, 9 Applies child care center licensing requirements to school-age children and programs. Exempts approved park and recreation programs that primarily provide social and recreational activities to school age children.

MT *1997 Mont. Laws, Chap. 222*

Adds to the list of courts that can enforce child care standards.

NE *1997 Neb. Laws, LB 310*

Requires child care programs to complete preservice orientation before receiving a provisional license. Provides a schedule of announced and unannounced inspections for licensed child care programs. Allows licenses to remain in effect subject to inspections and maintenance of complaint tracking. Sets annual license fees. Defines the process for unlicensed child care programs that need to become licensed.

NV *1997 Nev. Stats., Chap. 347*

Requires child care facilities to conduct monthly fire drills and make plans to deal with other natural disasters. Requires annual inspections of child care facilities by the state fire marshal.

NV *1997 Nev. Stats., Chap. 664*

Sec. 5 Allows on-site child care facilities to substitute an equal amount of indoor play space for outdoor play space.

NH *1997 N. H. Laws, Chap. 64*

Establishes a legislative committee to study child care center licensing.

NM *1997 N. M. Laws, Chap. 251*

Authorizes the suspension or revocation of a child care license for convictions for trafficking in controlled substances.

ND *1997 N. D. Sess. Laws, SB 2055*

Makes it a misdemeanor to provide child care if the provider is required to register as a sexual offender or has been denied licensing or registration.

TN *1997 Tenn. Pub. Acts, Chap. 448*

Requires license-exempt child care facilities to inform parents, custodians or guardians that the facility is unlicensed and requires parents to acknowledging that fact in writing.

TX *1997 Tex. Gen. Laws, Chap. 253*

Requires a coordinated inspection system of child care facilities. Requires the development of computerized databases to share information. Requires results of inspections to be shared with providers and allows the release of such records to the public to enhance consumer choice.

TX *1997 Tex. Gen. Laws, Chap. 664*

Allows child care facilities to operate without a license if they are accredited by an approved organization that meets or exceeds state standards and inspection procedures with the exceptions of internal self-governance and curriculum. Describes circumstances that an accredited child care facility may be inspected for and allows for the emergency suspension of a certificate.

TX *1997 Tex. Gen. Laws, Chap. 1022*

Sec. 28 Requires the development of an inspection information database and specifies who may have access.

TX *1997 Tex. Gen. Laws, Chap. 1022*

Sec. 24-25, 48 Directs that minimum training standards be developed for employees of regulated child care facilities. Requires licensed child care facilities to be accessible to parents during hours of operation. Requires continuing education programs for license holders.

Sec. 26, 27, 28, 44, 47 Establishes procedures for renewing a child care license. Authorizes inspections of registered family child care homes. Requires coordination of inspections and procedures to avoid duplication. Requires inspection results to be shared and discussed with a representative of the child care facility being inspected. Allows child care licensing reciprocity with other states. Specifies requirements for granting a provisional child care license.

Sec. 33, 45, 34-43, 49, 50 Requires rules to prohibit false, misleading or deceptive practices in competitive bidding and advertising. Requires employees of licensed or registered child care facilities to sign a specified affidavit. Establishes penalties for violations of specified requirements.

TX *1997 Tex. Gen. Laws, Chap. 1063*

Exempts group child care homes and registered or listed family child care homes from liability insurance requirements. Allows 6-month provisional child care licenses to be renewed for an additional 6 months. Establishes suspension and revocation procedures for listed and registered family child care homes' compliance with standards, as applicable. Allows child care providers to continue offering services while appealing a denial or revocation unless the violation poses a risk to the health or safety of children. Exempts specified after-school programs from licensing requirements.

TX *1997 Tex. Gen. Laws, Chap. 1084*

Requires notification of each day-care facility of a missing child who had been enrolled in that facility.

TX *1997 Tex. Gen. Laws, Chap. 1121*

Requires minimum training standards for child care employees of regulated facilities.

TX *1997 Tex. Gen. Laws, Chap. 1217*

Sec. 1 Requires family child care homes that care for 3 or fewer children to be listed or registered and family child care homes that care for 4 or more children to be registered. Applies minimum health and safety standards and prohibits racial discrimination in registered family child care homes. Assesses annual fees. Requires owners, operators and employees of family child care homes to undergo background and criminal history checks. Authorizes the inspection of registered family child care homes and requires inspections of listed family child care homes that have had a complaint of abuse or neglect filed against them.

UT *1997 Utah Laws, HB 113*

Sec. 1, 5-7, 10 Shifts responsibility from Department of Human Services to Department of Health for licensing child care facilities. Establishes the Child Care Licensing Committee to advise the department on rules. Lists allowable child care regulations. Excludes curriculum setting. Allows licenses to be issued for a maximum of 24 months. Prescribes penalties.

UT *1997 Utah Laws, HB 124*

Excludes from licensing requirements care provided for less than four hours a day and care in private schools.

VA *1997 Va. Acts, Chap. 810*

Establishes staff-to-child ratios for licensed child care centers.

School-Age Child Care/Child Care in Public Schools

HI *1997 Hawaii Sess. Act 250*

Exempts from child care facilities regulation after school, weekend, and summer recess programs conducted by the Department of Education, and county programs for children age five or older, and a person caring for only children in a household.

IL *1997 Ill. Laws, P. A. 90-236*

Requires the state to analyze the types of child care needs for low-income and welfare families, including before and after school care. Requires a state plan on how to improve these services.

MN *1997 Minn. Laws, Chap. 162*

Sec. 14 Establishes a separate account within the community services fund for all extended day programs.

MN *1997 Minn. Laws, Chap. 248*

Sec. 5-6, 9 Applies child care center licensing requirements to school-age children and programs. Exempts approved park and recreation programs that primarily provide social and recreational activities to school age children.

MT *1997 Mont. Laws, Chap. 318*

Expands the resource and referral grant program to improve the availability of quality child care and school age child care. Describes the types of funds used by the grant program. Prioritizes grant applications for professional training of child care providers, start-up of school-age care programs, consumer education, and preserving or expanding existing child care programs.

NH *1997 N. H. Laws, Chap. 307*

Clarifies that school districts may transport pupils between schools and legal before- and after-school programs, upon approval of the school district legislative body.

NJ *1997 N. J. Laws, Chap. 13*

Sec. 5 Requires that after-school child care for children over age six be included in the state's child care support services to welfare recipients.

TX *1997 Tex. Gen. Laws, Chap. 118*

Allows for the distribution of funds to school districts for use in the planning, development, establishment, expansion and improvement of child care services for school-age children.

TX *1997 Tex. Gen. Laws, Chap. 1063*

Exempts specified after-school programs from licensing requirements.

Support for Providers/Training/Resource and Referral

AR *1997 Ark. Acts, Act 1132*

Sec. 25-26 Requires an annual comprehensive training plan for providers. Adds training scholarships to the list of allowable expenditures from the Arkansas Child Care Facilities and Loan Guarantee Trust Fund.

CT *1997 Conn. Acts, P. A. 259*

Sec. 2, 19, 34 Requires the state and child care providers to develop guidelines for state-contracted centers on and quality standards and identification of short- and long-term outcomes for participating families. Requires state-funded child care providers to help parents educate their children, set goals for them, assist their communication with providers, and support active parent involvement. Requires continuing staff education training for school readiness programs.

CT *1997 Conn. Acts, P. A. 259*

Sec. 7, 10, 14 Requires supplementary quality enhancement grants to help school readiness or child care providers obtain national accreditation, child development associate scholarships, and training for mentor teachers under federal Head Start regulations. Requires that grants provide health services, parent education and community outreach programs. Establishes priorities. Requires five regional accreditation projects with a priority for programs that serve a minimum percentage of certain poor children. Requires a priority for a loan guarantee for accredited programs or those applying for accreditation.

IL *1997 Ill. Laws, Act 507*

Sec. 5.15 Specifies that the responsibilities of the new Department of Human Services include coordination of state day care activities and development of a resource and referral system. Requires a comprehensive annual plan that identifies high-priority areas and groups, assesses needs and available resources and recommends methods for developing additional resources.

ME *1997 Me. Public Laws, Chap. 68*

Requires a task force to develop a comprehensive model of early childhood education and parent support, including referrals for parents and to establish a statewide resource center.

MD *1997 Md. Laws, Chap. 328*

Extends the Family Day Care Provider Direct Grant Fund, which reimburses family day care providers for complying with state and local regulations.

MA *1996 Mass. Acts, Chap. 413*

Establishes the "Invest in Children" license plate program to raise funds to improve child care services through teacher training, parent education, the purchase of educational curricula and materials, bilingual training and curricula, and technical assistance for National Association for the Education of Young Children accreditation.

MN *1997 Minn. Laws, Chap. 162*

Sec. 43 Establishes a child development education and training loan program, to be administered by resource and referral programs. Allows the loan to be forgiven if the participant provides child care for 12 months following the completion of courses paid for by the loan.

Sec. 46-47, 52 Allows child care service development grants to be used for resource and referral programs, start-up of child care facilities, and family child care technical assistance. Includes recruitment, training and support for providers and parent education in the list of services a resource and referral program may provide. Encourages grants to be given to programs that serve child care during nonstandard hours, programs or providers seeking accreditation, and educational entities that offer scholarships and training to providers.

Sec. 61 Requires recommendations for core competencies and training requirements for child care providers.

MN *1997 Minn. Laws, Chap. 248*

Sec. 3, 8 Defines child care center experience as paid or unpaid employment in a range of capacities and settings. Mandates that center in-service training requirements be transferable should staff employment change to another child care program.

MT *1997 Mont. Laws, Chap. 318*

Expands the resource and referral grant program to improve the availability of quality child care and school age child care. Describes the types of funds used by the grant program. Prioritizes grant applications for professional training of child care providers, start-up of school-age care programs, consumer education, and preserving or expanding existing child care programs.

NE *1997 Neb. Laws, L. B. 310*

Requires child care programs to complete preservice orientation before receiving a provisional license.

NV *1997 Nev. Stats., Chap. 396*

Appropriates money to expand the availability of child care through provider training and the expansion and refurbishment of existing or new child care facilities.

TX *1997 Tex. Gen. Laws, Chap. 251*

Requires members of local work force development boards who manage the delivery of child care services to be trained on certain child care provider issues and on improving child care quality.

TX *1997 Tex. Gen. Laws, Chap. 684*

Creates a pilot program to train public assistance recipients as child care providers. Allows funds to be used for additional training and for start-up costs for establishing a trainee's own child care business.

TX *1997 Tex. Gen. Laws, Chap. 1022*

Sec. 24-25, 48 Requires minimum training standards for employees of regulated child care facilities. Requires continuing education programs for license holders.

UT *1997 Utah Laws, HB 124*

Requires the state to allow for a broad range of educational, training and academic background in certification or qualification of child care directors.

WA *1997 Wash. Laws, Chap. 58*

Sec. 405 Requires department to train 250 recipients to become child care providers. Requires these recipients to provide child care to other participants for two years following completion of training.

CHILD WELFARE

Administration/Research

AR *1997 Ark. Acts, Act 100*
Limits benefits under the veterans' child welfare service to minor children of deceased or incapacitated veterans.

IL *1997 Ill. Laws, Act 507*
Sec. 5.10 Creates the Department of Human Services and specifies that its responsibilities include direct provision of child welfare services that are not available through other programs, including services to prevent child neglect, abuse, exploitation and delinquency; supportive services for pregnant youngsters; and shelter and independent living services for homeless youth.

MA *1996 Mass. Acts, Chap. 151*
Sec. 594 Requires a report to the legislature on the extent to which graduates of schools of social work are being prepared to perform the duties of social workers employed by the Department of Social Services.

OR *1997 Or. Laws, Chap. 873*
Sec. 28 States policy with regard to citizen review and complaints regarding the actions of the state Office for Services to Children. Requires the state to adopt rules establishing a review process.

RI *1997 R. I. Pub. Laws, S 709*
Makes the Department of Children, Youth and Families responsible for developing and managing a network of services for seriously emotionally disturbed children. Repeals the "Services for Emotionally Disturbed Children Law."

TX *1997 Tex. Gen. Laws, Chap. 1022*
Sec. 4, 19, 20 Requires the state child welfare agency to develop a uniform process for resolving complaints. Requires that contracts for the purchase of client services contain clearly defined goals, sanctions and reporting requirements. Provides exceptions to the immunity of state child welfare workers from civil and criminal liability.

Sec. 97, 99-100 Authorizes the establishment of caseload standards for child welfare caseworkers. Establishes a caseload standards advisory committee.

UT *1997 Utah Laws, HB 307*
Sec. 13 Clarifies the duties of the Child Welfare Legislative Oversight Panel.

WA *1997 Wash. Laws, Chap. 386*
Sec. 1 Creates the Social Worker V position as an exempt personnel classification. Allows up to 21 positions.

Sec. 20 Transfers responsibilities for children with developmental disabilities from the division of children and family services to the division of developmental disabilities.

Sec. 47 Requires the department to prepare an annual quality assurance report on performance outcomes, children's length of stay in out-of-home placement, adherence to permanency planning timelines and the response time in CPS investigations.

Adoption

AZ *1997 Ariz. Sess. Laws, Chap. 225*
Sec. 1 Requires the state to establish and administer a child placement program to inform communities about the adoption process and the need for adoptive homes.

AR *1997 Ark. Acts, Act 216*
Sec. 1 Prohibits any adoption agency or entity that receives federal assistance and is involved in adoption or foster care placement from discriminating against the adoptive or foster parent or the child, based on race or national origin.

AR *1997 Ark. Acts, Act 1041*
Requires that employees, volunteers, foster parents, adoptive parents and others in a child welfare agency be checked for child maltreatment through the central abuse registry and be subject to a criminal history check.

AR *1997 Ark. Acts, Act 1084*
Sec. 1 Allows adoptions and guardianships to be filed in a juvenile court that previously asserted continuing jurisdiction of the juvenile.

AR *1997 Ark. Acts, Act 1106*
Sec. 1 Requires only a state criminal background check if a prospective adoptive parent has lived in the state for at least six years prior to the adoption.

AR *1997 Ark. Acts, Act 1234*
Allows release of adoption records to multidisciplinary child abuse teams.

CA *1996 Cal. Stats., Chap. 1083*
Requires a public agency conducting a search for adoptive parents to consider the cultural, ethnic or racial background of a child and prospective parents. Requires the court to consider the full report on an adoptive child prepared by the state or adoption agency. Authorizes a licensed county adoption agency to work with a licensed private adoption agency. Requires the state to compensate licensed private adoption agencies for costs of placing children eligible for Adoption Assistance Program benefits.

CO *1997 Colo. Sess. Laws, S. B. 97-83*
Sec. 1 Allows the court to order counseling of a child to be relinquished if the court determines that counseling would be in the child's best interest.

GA *1997 Ga. Laws, SB 28*
Establishes a putative father registry. Clarifies certain rights and obligations of a biological father with respect to adoption proceedings. Allows disclosure of certain information regarding biological parents to an adoptee. Limits appeals of adoption decrees by biological fathers.

GA *1997 Ga. Laws, HB 112*
Sec. 1 Increases the amount of financial assistance from 75 percent to 100 percent to families that adopt hard-to-place children with certain disabilities or problems.

GA *1997 Ga. Laws, HB 245*
Sec. 2 Allows adoptive parents and relatives of the adoptive parents to inherit from and through an adopted individual in the absence of a will, unless expressly excluded.

IL *1997 Ill. Laws, P. A. 15*

Sec. 8, 12-1, 20 Dispenses with a father's consent to adoption or notification through the putative father registry if the child to be adopted was conceived due to sexual abuse or assault. Excludes men who father children through sexual abuse or assault from the definition of "putative father."

IL *1997 Ill. Laws, P. A. 90-13*

Authorizes the adoption of a newborn infant when the mother is found to be unfit due to the presence of a controlled substance, not due to medical treatment, in bodily fluid at birth.

IL *1997 Ill. Laws, P. A. 90-28*

Sec. 2-27. 5 Authorizes the Department of Children and Family Services to join interstate compacts when a child is adopted in, or moves to, another state. Authorizes hearing officers in Cook County to supervise decisions of child placement.

Sec. 10-5 Directs child welfare services to consider children's safety when protecting children and when making decisions about family preservation and out-of-home placement, including adoption.

Sec. 10-20 Sets goals and timeframes for adoption.

IN *1997 Ind. Acts, P. L. 1589*

Allows the court to set up a confidential intermediary to search for specific adoption history information and makes disclosing confidential information a Class A misdemeanor.

Authorizes post-adoption contact without court approval in an adoption of a child who is at least 2 years old upon agreement of the adoptive parents and a birth parent. Allows the court to provide post-adoption sibling contact that is at least 2 years of age when in the best interests of the adopted child and when the adoptive parents consent to the contact. Requires the court to consider any relevant evidence in making a determination for any post-adoption contact.

Allows a pre-adoptive sibling or adopted child to petition a request to modify a post-adoption contact order with a pre-adoptive sibling or request an adoptive parent to comply with the post-adoption contact order.

LA *1997 La. Acts, Act 715*

Retains the voluntary registry for adopted person and biological parents and authorizes biological siblings who are 18 or older to use the registry. Specifies confidentiality rights of a biological parent by precluding the release of information without proper authorization.

Requires the state to notify the respective parties, including biological siblings, of the match and inform them of the counseling requirements, which must be fulfilled. Requires at least one hour of counseling for each party prior to receiving identifying information. Describes contacting procedures between parties and requires the social worker or agency to contact the parties in a confidential manner.

LA *1997 La. Acts, Act 797*

Defines "parental fitness." Outlines requirements for a father to establish parental rights, including that he provided, or was willing to provide, financial support to the child. Requires the court to appoint an attorney to represent the child and order a paternity test if the alleged or adjudicated father opposes the adoption. Allows the court to order the father to reimburse all or part of the medical expenses to the state or others who assumed liability for such expenses in connection with the birth of his child.

Specifies time period of appeal to the surrender of parental rights.

Requires the court to appoint an attorney to represent the child and order a paternity test if the alleged or adjudicated father opposes the adoption.

LA *1997 La. Acts, Act 1070*

Prohibits any person other than a child-placing agency possessing a Class A or Class B license of a Louisiana-based crisis pregnancy center to advertise through print or electronic media that it will adopt children or assist in the adoption of children. Authorizes the attorney general, the state, any licensed Class A or Class B child placing agency or Louisiana-based crisis pregnancy center to file suit in district court according to the general rules of venue to obtain injunctive relief to restrain any person who advertises in violation of the new law.

Requires anyone who violates be liable for all costs of any proceeding including reasonable attorney fees.

ME *1997 Me. Public Laws, Chap. 322*

Requires an annual report on children in the care and custody of the state, including out-of-state placements, adoption statistics and reunification efforts.

MD *1997 Md. Laws, Chap. 496*

Grants the district court in Montgomery County, sitting as the juvenile court, jurisdiction over termination of parental rights and adoption proceedings involving children in need of assistance.

MA *1996 Mass. Acts, Chap. 151*

Requires that putative fathers or unknown fathers be notified of a petition prior to adoption of a child.

MI *1996 Mich. Pub. Acts, Act 409*

Sec. 1 Transfers proceedings that pertain to adoption, name change, juvenile delinquency, and abuse and neglect from the probate court to the family court.

MN *1996 Minn. Laws, Chap. 86*

Sec. 1, 10 Changes protection of heritage or background requirements in placement decisions based on the best interests of the child. Specifies that color or national origin are factors that cannot delay placement of a child. Encourages placement with relatives and important friends. Requires that siblings be placed together, whenever possible.

Sec. 5 Removes the word "minority" from the foster and adoptive family recruitment specialist position.

Sec. 6-8 Removes the word "minority" and clarifies understanding and validating a child's cultural background regarding adoptive and foster care training and determination of prospective adoptive and foster care families.

Sec. 9 Clarifies consideration of racial and ethnic heritage in adoption placements. Specifies consideration of placement with relative or important friend. Specifies that this provision does not affect the Indian Child Welfare Act or the Minnesota Family Preservation Act.

Sec. 4 Clarifies the radio and television campaign to recruit ethnically and racially diverse adoptive and foster care families.

Sec. 11 Changes the timeline required to locate relatives for adoptive placement.

MN *1997 Minn. Laws, Chap. 112*

Sec. 3 Authorizes agreements between adoptive parents and certain birth relatives providing for communication and contact with a minor adoptee.

MN *1997 Minn. Laws, Chap. 218*

Sec. 2 Modifies notice requirements in voluntary adoptive or preadoptive placements where there is reason to believe that the child is or may be an Indian child. Outlines notification procedures. Allows the tribe the right to intervene at any point in any state court proceeding for voluntary adoptive placement of an Indian child.

Sec. 8 Modifies the adoption notification requirements for fathers entitled to notice.

Sec. 9 Allows for notice and forms for the intent to claim parental rights, denial of paternity and consent to adoption. Requires a father to file the intent to claim parental rights within 30 days of the notice. Requires a $75 surcharge fee for an adoption petition to fund the putative fathers' adoption registry.

Sec. 11 Defines abandonment for purposes of adoption.

MN *1997 Minn. Laws, Chap. 239*

Sec. 10 Allows adoptive parents and a birth relative to enter into agreements regarding communication with or contact between an adopted minor, adoptive parents and a birth relative.

Sec. 35 Allows the court to retain jurisdiction in a case where adoption is the intended permanent placement disposition. Requires the state to explore strategies to facilitate recruitment of foster and adoptive families. Requires a report to the Legislature by February 1, 1998.

MN *1997 Minn. Laws, SF 1908*

Sec. 1 Authorizes the state to contract with a licensed child-placing agency to provide adoption services for children whose interests would be best served by adoptive placement.

MT *1997 Mont. Laws, Chap. 480*

Establishes procedures for certain types of adoption and outlines rights, responsibilities, consent requirements and fees of parties in adoption proceedings. Outlines procedure for pre-placement and post-placement evaluation and accessing records.

NH *1997 N. H. Laws, Chap. 305*

Makes an adoptive parent responsible for payment for subsequent services, placements and programs if the state determines that he or she was convicted of sexual or physical abuse of the adopted child or misappropriated adoption subsidy money.

NM *1997 N. M. Laws, Chap. 34*

Sec. 5 Changes the child's best interest to being served by adoption, emancipation, permanent guardianship long-term foster care during subsequent permanency hearings.

Sec. 6 Requires the court to consider adoption when examining the needs of the child in termination of parental rights proceedings.

NY *1996 N. Y. Laws, Chap. 612*

Establishes an adoption medical information registry within the adoption information registry. Outlines specific procedures for exchanging information.

OH *1997 Ohio Laws, SHB 274*

Adds to the definition of a putative father a man who has not acknowledged paternity of a child and further clarifies that a man who signs an acknowledgment of paternity is not a putative father and that the man's consent must be obtained for an adoption. Requires a putative father to register with the putative father registry no later than 30 days after the birth of a child. Allows a mother, an agency or the attorney arranging a minor's adoption to request at any time that the state search the putative father registry to determine whether a man is registered as the minor's putative father.

OH *1997 Ohio Laws, SB 282*
Sec. 1 Extends war orphans' scholarships to a veteran's stepchild who has not been legally adopted by the veteran parent after certain criteria are met.

OK *1997 Okla. Sess. Laws, Chap. 75*
Rewrites the state's adoption code to include state policy and general definitions; jurisdiction, venue and choice of law; adoption of minors; medical and social histories; adoption proceedings; paternity registry; adult adoptions; adult adoptee services; general prohibitions; subsidized adoption programs; studies and committees.

Establishes a biological parent's consent process to permanently relinquish parental rights for adoption. Requires notification of the alleged father and his opportunity to respond to the notice of adoption.

Establishes guidelines for the disclosure of an adopted child's medical and social history report. Requires DHS to establish a mutual consent voluntary registry and confidential intermediary search program.

OK *1997 Okla. Sess. Laws, HB 2133*
Sec. 6 Requires the court, in adoption considerations, to give great weight to a foster parent with whom the child has lived for at least 1 year, unless there exists an emotional bond with a relative.

OR *1997 Or. Laws, Chap. 619*
Creates the Task Force on Adoption Services. Directs the task force to review policies and procedures governing adoption practices. Grants the task force inspection and access to records of casework and children, excluding sealed records. Requires a report to the legislature.

SC *1997 S. C. Acts, Act 456*
Allows the family court to issue a foreign adoption. Requires the state to develop guidelines for foreign adoptions.

SD *1997 S. D. Sess. Laws, SB 261*
Terminates all rights of the natural parents of an adopted child. Specifies exceptions.

TN *1997 Tenn. Pub. Acts, Chap. 253*
Defines abandonment for purposes of terminating parental or guardian rights in order to make the child available for adoption.

TX *1997 Tex. Gen. Laws, Chap. 600*
Sec. 18 Requires the state to maintain certain information concerning the adoption of children placed in custody of the department.

Sec. 12, 19 Requires the department to develop a permanency plan for each child under its care and to begin locating adoptive parents as soon as a plan is developed that includes termination of parental rights.

TX *1997 Tex. Gen. Laws, Chap. 601*
Prohibits an attack on the validity of an adoption order six months after the order was signed.

TX *1997 Tex. Gen. Laws, Chap. 1309*
Sec. 1 Requires the state to pay a monetary incentive to a licensed child-placing agency for the completion of an adoption of a child receiving or entitled to receive foster care at state expense.

UT *1997 Utah Laws, HB 109*
Requires training and continuing education of adoption agency personnel.

Authorizes any licensed agency to provide potential adoptive parents with information about eligible adoptive children.

Requires the court to consider the child's relationship with foster parents who petition for adoption.

VT *1997 Vt. Acts, Act 53*

Requires criminal record checks for potential adoptive parents. Provides exceptions. Requires the state to destroy fingerprint records upon completion of the adoption process. Extends the time for completing a preplacement evaluation. Clarifies out-of-state adoption procedures. Allows child inheritance if the child's former parent died in cases of stepparent adoption.

WA *1997 Wash. Laws, Chap. 31*

Sec. 1-9 Authorizes interstate agreements to provide adoption assistance for special needs children. Sets procedures for payments to relocated families. Allows participation or withdrawal by any state. Requires that if a state withdraws, that state will continue to apply the compact's provisions to the families who were subject to the compact. Sets conditions.

WA *1997 Wash. Laws, Chap. 131*

Sec. 1 Expands the eligibility criteria for the adoption reconsideration program to allow for payment of expenses of children who are at high risk of physical, mental or emotional problems as a result of conditions prior to the adoption. Allows children in state-funded pre-adoption placements to be eligible for the adoption reconsideration program. Eliminates the requirement for review and approval of the needs of the child by the office of personal health services.

WA *1997 Wash. Laws, Chap. 272*

Sec. 1, 3, 4 Eliminates the plan for recruiting prospective adoptive and foster homes and the requirement that the plan be submitted for review to the House and Senate committee on social and health services. Requires the department to contract with a private agency to recruit an adequate number of prospective adoptive and foster homes. Adds teens, pregnant and parenting teens to the list of types of homes needed. Requires an annual report to the governor and Legislature regarding the department's success in meeting the need for adoptive and foster care placements, reducing the foster parent turnover rate, completing home studies for legally free children, and implementing and operating the new "passport program."

WV *1997 W. Va. Acts, Chap. 2*

Sec. 11-21-10a Creates a tax credit for a nonfamily adoption.

Sec. 48-4-1 Adds definitions for abandonment, adoptive parent, agency, birth father, birth mother, birth parents, consent, legal father, marital child, nonmarital child, putative father, relinquishment and stepparent adoption. Rewrites "determined father" and "unknown father."

Sec. 48-4-3a Prohibits any consent or relinquishment before 72 hours after birth of the child to be adopted.

Sec. 48-4-7 Outlines filing a petition for adoption. Outlines notification of adoption procedure and notice to an unknown father procedure.

Sec. 48-4-3b Requires a specific form be used.

Sec. 48-4-6 Allows for a hearing to the petition of an adoption no sooner than 45 days after filing.

Family Preservation Services/Permanency Plans

AZ *1997 Ariz. Sess. Laws, Chap. 10*

Outlines dependency and dispositional hearing procedures. Allows the court to order the department to make reasonable efforts to provide services to the child and family to facilitate reunification. Sets conditions for court to determine if reunification efforts would be reasonable. Sets timeline for periodic review hearings, permanency hearings and termination of parental rights hearings.

AR *1997 Ark. Acts, Act 1227*

Sec. 8 Requires a case plan in all dependency-neglect cases. Specifies required contents.

Sec. 11 Requires a review hearing every 6 months when a juvenile is in an out-of-home placement. Requires court to project a date for return home or alternative disposition based on consideration of specified factors.

Sec. 12 Changes time for permanency planning hearing from 18 months to 12 months after juvenile enters out-of-home placement. Specifies contents of permanency planning report to be prepared by the state.

CA *1997 Cal. Stats., Chap. 101*

Authorizes the court to discontinue reunification services to a minor's parents or guardians if there is clear and convincing evidence of willful abandonment that constitutes a serious danger to the child. Provides exceptions.

CA *1997 Cal. Stats., Chap. 142*

Eliminates an exception to the circumstances under which a court need not order the provision of family reunification services upon a child's removal from home.

CA *1997 Cal. Stats., Chap. 1082*

Revises and adds conditions under which reunification services need not be provided after a minor is removed from a parent's or guardian's custody.

CA *1997 Cal. Stats., Chap. 1138*

Increases the frequency of permanency planning hearings for certain children from every 18 months to every 12 months.

CO *1997 Colo. Sess. Laws, SB 218*

Sec. 13 Requires the county child welfare agency to engage in concurrent planning in dependency and neglect proceedings that are based upon an allegation of habitual abuse.

CO *1997 Colo. Sess. Laws, HB 1079*

Sec. 2 Authorizes county departments of social services to establish programs for homeless youth or family members in conflict.

CT *1997 Conn. Acts, Act 319*

Sec. 19 Requires a court to order specific steps that the parent must take to facilitate the return of a child to the parent.

ID *1997 Idaho Sess. Laws, P. A. 27*

Sec. 30 Requires an initial permanency hearing within 12 months of the date temporary custody was taken and subsequent permanency hearings at least every six months. Allows the court to set a permanency goal of placing the child in short-term care with a continued goal to return the child home pending a finding of reasonable effort by the parents at a status hearing within nine to 11 months.

IL *1997 Ill. Laws, P. A. 27*

Sec. 5 Allows the state to discontinue reunification services after obtaining a court finding that such services are inappropriate or have been unsuccessful. Directs state to establish an inquiry system for parents with children under the care of the department.

IL *1997 Ill. Laws, P. A. 87*

Adds a section to the Juvenile Court Act outlining procedures for court review of placements for abused, neglected or dependent minors in Cook County. Requires an initial permanency hearing within a year after temporary custody begins and subsequent hearings every six months until the permanency goal is achieved. Directs the court to review monitoring the placement under certain conditions. Requires the court to investigate criminal charges or convictions of parents seeking to regain custody of physically abused minors.

IL *1997 Ill. Laws, P. A. 90-443*

Sec. 5 Requires case plans for each child in custody of the state to include family preservation services as defined.

IL *1997 Ill. Laws, P. A. 90-512*

Sec. 7 Directs the state child welfare agency to coordinate with other agencies to prepare children with developmental disabilities to live independently at age 21.

IL *1997 Ill. Laws, P. A. 90-28*

Sec. 10-5, 10-15, 10-20 Directs child welfare services to consider children's safety when protecting children; when making decisions about family preservation and out-of-home placement, including adoption; and when developing a case plan for reunification.

Directs the department to consider concurrent planning for reunification and permanency so that permanency may be achieved at the earliest opportunity. Lists factors to be considered when determining the appropriateness of concurrent planning. Clarifies permanency goals, permanency hearing requirements and reasonable efforts. Revises factors to be considered when determining the "best interest" of a child.

Requires counsel appointed to a minor to appear at all stages of trial court proceedings for permanency and termination of parental rights proceedings. Requires the court appointed guardian ad litem, in counties with a population of under 3 million, to remain with the same child throughout the entire juvenile trial court process.

Changes permanency hearings from every 12 months to every 6 months. Requires permanency hearings in counties of fewer than 3 million people to be heard by a judge. Requires only the initial permanency hearing to be heard by a judge in counties of more than 3 million people. Revises permanency hearing requirements for agency written reports and caseworker testimony. Allows hearing officers in counties of 3 million or more to conduct permanency goal progress hearings and other court-assigned duties.

Requires the court to determine the future status of the child at permanency hearings. Sets goals and time frames for short-term care, adoption, substitute care, guardianship and independence. Allows the current foster parent or relative caregiver to file for guardianship if returning home is not selected as the permanency goal.

Sec. 10-25 Changes the requirement that parents correct the conditions that caused the removal of their children from within 9 months to within 12 months.

IA *1997 Iowa Acts, Chap. 99*

Reduces from 18 months to 12 months the period of time beyond which a dispositional review hearing may not be waived or continued. Similarly reduces the duration of any period of supervision.

ME *1997 Me. Public Laws, Chap. 475*

Makes reunification efforts subject to the best interest of the child under certain circumstances.

MN *1996 Minn. Laws, Chap. 86*

Sec. 2 Adds understanding the importance of the Indian Child Welfare Act and the Minnesota Family Preservation Act to the training.

MN *1996 Minn. Laws, Chap. 107*

Sec. 14 Allows a court review to satisfy the requirement for an administrative review in a child placement case.

Sec. 16 Changes from two years to 12 months the time required for the social services agency responsible for a child placement to petition the court.

Sec. 17 Changes the requirement for dispositional hearings from once every two years to once every 12 months.

MN *1997 Minn. Laws, Chap. 239*

Sec. 13 Amends definition of "reasonable efforts" to clarify that reunification is not required if the parent has been convicted of certain state or federal homicide and assault offenses against a child of the parent. Authorizes a court to order cessation of reasonable efforts if further provision of services is deemed futile.

Sec. 26 Modifies provisions governing the timeline for review of court-ordered placements and permanent placement decisions. Makes granting of permanent custody to a relative subject to best interest of the child.

MT *1997 Mont. Laws, Chap. 516*

Sec. 2 Defines "best interest of the child," "parent-child relationship," and "treatment plan."

NM *1997 N. M. Laws, Chap. 34*

Sec. 5 Outlines permanency hearing procedures, timeframes and reporting requirements. Creates a rebuttable presumption during the permanency hearing that the child's best interest is served by returning the child to his parent, guardian or custodian. Changes the child's best interest to being served by adoption, emancipation, permanent guardianship or long-term foster care during subsequent permanency hearings.

OH *1996 Ohio Laws, HB 274*

Allows changes to case plans without prior approval by the other parties or the guardian ad litem in certain nonemergency circumstances. Requires court approval or nonaction before such changes may be implemented. Allows changes to case plans to be implemented without prior approval by the court or by the parties in emergency situations.

OK *1997 Okla. Sess. Laws, HB 2133*

Sec. 6 Requires a permanency hearing within 12 months after placing a child in out-of-home placement. If reunification remains the goal at the time of such hearing, requires the court to find that the parent has made marked progress toward reunification. Requires the court in adoption considerations to give great weight to a foster parent with whom the child has lived for at least 1 year, unless there exists an emotional bond with a relative.

OR *1997 Or. Laws, Chap. 873*

Sec. 13 Requires the state to include in case plans both services for reunification of the child and an alternate permanency plan to be implemented in the event the parent is unable or unwilling to improve. Creates a rebuttable presumption in favor of the alternate plan if the state has made reasonable efforts or if the child cannot be returned within 12 months.

Sec. 15 Requires review by a court or a local citizen review board of out-of-home placements no later than six months after the child has been placed in the legal custody of the state. Allows for a recommendation for implementation of the alternate permanency plan if the parent has not made sufficient progress. Provides for extension of the deadline for reunification if the state has not made reasonable efforts. Provides for second review six months later.

Sec. 2a States policy regarding the rights of children to safety and permanence, duty of parents to afford their children such rights, safeguarding the liberty interest of parents with respect to the upbringing of their children, and offering appropriate reunification services in cases not involving extreme conduct.

OR *1997 Or. Laws, HB 2787*

Directs the state child welfare agency to consider the use of "family decision-making meetings" to establish plans to provide for the needs of children placed in substitute care for more than 30 days. Specifies procedures regarding notice and attendance at a meeting. Requires the state to develop a written family plan based on a family meeting.

TX *1997 Tex. Gen. Laws, Chap. 241*

Requires the Health and Human Services Commission and each health and human services agency to develop procedures ensuring that a permanency plan is developed for each child who resides in a state institution. Establishes the development of a reporting system for permanency planning and requirements for permanency planning reports.

TX *1997 Tex. Gen. Laws, Chap. 600*

Sec. 12&19 Requires the department to develop a permanency plan for each child under its care and to begin locating adoptive parents as soon as a plan is developed that includes termination of parental rights.

TX *1997 Tex. Gen. Laws, Chap. 603/1022*

Requires the state to prepare a permanency plan for a child for whom the state has been appointed temporary managing conservator. Requires the preparation of permanency progress reports. Shortens the period between the first and second permanency hearings. Specifies the actions required at each permanency hearing. Requires a court to render a final order or dismiss a suit within one year of granting the state temporary conservatorship of a child. Authorizes a court to appoint the state managing conservator of a child without terminating parental rights.

TX *1997 Tex. Gen. Laws, Chap. 913*

Specifies certain notification requirements regarding children with developmental disabilities who are placed in an institution. Requires the development of procedures to ensure permanency planning for each child residing in an institution.

UT *1997 Utah Laws, HB 307*

Sec. 6, 13 Provides that, in cases of obvious sexual abuse or abandonment or serious physical abuse or neglect, the state has no duty to maintain a child in his home, provide reunification services or attempt to rehabilitate the offending parent.

Sec. 30, 31 Requires the court to determine at the dispositional hearing whether reunification services are appropriate and specifies that the state has no duty to provide such services in cases of serious abuse. Specifies timeframes for permanency hearings. Requires termination of reunification services if the child is not returned at the permanency hearing.

VA *1997 Va. Acts, Chap. 790*

Revises provisions governing abused and neglected children to standardize and expedite the out-of-home placement process. Reduces timeframes for preliminary protective orders, adjudicatory hearings, dispositional hearings, permanency planning hearings and foster care plan reviews. Changes the time frame for foster care placement review hearings from 12 months to six months after the dispositional hearing.

WA *1997 Wash. Laws, Chap. 386*

Sec. 16, 19 Sets time frames for a permanency plan of care, periodic administrative reviews and permanency planning hearings.

Sec. 47 Requires the department to prepare an annual quality assurance report that is to include adherence to permanency planning time lines.

WV *1997 W. Va. Acts, Chap. 53*

Adds family-focused, community-based services to the goals of the state's child welfare system. Includes the rehabilitation of juvenile delinquents, a reduction in the rate of juvenile delinquency and the provision of services to prevent abuse and neglect and juvenile delinquency.

Financing/Training

CA *1997 Cal. Stats., Chap. 1011*

Creates the Youth Pilot Program Fund so counties may implement strategic plans to use blended funding for child welfare services until July 1, 2004.

CA *1997 Cal. Stats., Chap. 1016*

Requires 12 hours of pre-placement training and at least eight hours of annual post-placement training for foster parents. Allows for exceptions.

CA *1996 Cal. Stats., Chap. 1139*

Adds training on the effects of domestic violence on families and children to a statewide child welfare training program. Requires the Emergency Response Protocol to incorporate screening procedures to assess whether abuse of another family or household member is occurring.

CO *1997 Colo. Sess. Laws, SB 218*

Sec. 1-3 Provides that all counties are to receive capped allocations from the state for child welfare services and that counties may use such funds without categorical restriction. Directs the state to develop formulas for such capped allocations. Requires the state to develop a management and training package to assist counties to more effectively use child welfare resources. Directs the state to pursue any necessary federal waivers. Authorizes the state to enter into performance contracts with no more than three counties for the delivery of child welfare services. Directs the state to study statewide managed care for the delivery of child welfare services. Creates a legislative oversight committee. Requires that recommendations be submitted to the legislature by January 1, 1998.

IN *1997 Ind. Acts, SEA 400*

Sec. 1 Requires the state to provide probation departments with training and technical assistance related to special education services and programs for CHINS. Allows the probation department training to be provided jointly with training for child welfare caseworkers related to the same subject.

IA *1997 Iowa Acts, Chap. 202*

Sec. 15, 29, 31, 35 Appropriates more than $110 million in federal TANF and other funds to the departments of Human Services, Education and Workforce Development for various child and family services.

MO *1997 Mo. Laws, HB 540*

Specifies that the guardian of a minor ward is not obligated to use his or her own financial resources for support of the ward.

OH *1996 Ohio Laws, HB 274*

Specifies minimum training requirements for child welfare caseworkers and supervisors.

TX *1997 Tex. Gen. Laws, Chap. 484*

Requires the development of methods to maximize federal matching funds for foster care.

TX *1997 Tex. Gen. Laws, Chap. 1022*

Sec. 103 Requires that representatives from each state agency that purchases substitute care meet to assess the need for such care and to develop a competitive bidding process.

Legal Procedures/Policy/Records

AK *1997 Alaska Sess. Laws, HB 127*

Sec. 4 Allows school officials' access to information regarding permanency planning cases and encourages school support services for the child.

AZ *1997 Ariz. Sess. Laws, Chap. 10*

Sec. 56 Removes the September 30, 1997, deadline on confidentiality rules on departmental records and information.

CA *1997 Cal. Stats., Chap. 1138*

Increases juvenile court responsibility to hear proceedings regarding dependent children to include those proceedings establishing guardianship of minors. Authorizes courts to expand protective orders to include any parent, guardian or current or former member of a minor child's household.

CA *1997 Cal. Stats., Chap. 1139*

Authorizes the court to maintain the confidentiality of the address of a minor placed in foster care under certain conditions if visitation with a parent or guardian would jeopardize the child's safety.

CO *1997 Colo. Sess. Laws, SB 97-218*

Sec. 7 Creates a work group to consider any necessary changes to appeals procedures in child welfare cases.

CT *1997 Conn. Acts, Act 104*

Requires the release of records to attorneys and guardians ad litem in proceedings affecting the best interest of the child.

CT *1997 Conn. Acts, Act 319*

Sec. 4, 5 Authorizes the child advocate to review complaints concerning any state or municipal agency providing services to children and any entity that provides such services with funds provided by the state. Allows the child advocate to obtain confidential records, communicate privately with any child receiving services from the state, issue subpoenas and obtain grants. Prohibits discrimination or retaliation against any public employee who makes a complaint to the child advocate. Provides that records generated or obtained by the child advocate are confidential.

GA *1997 Ga. Laws, SB 26*

Gives joint jurisdiction to the juvenile court and the superior court over certain proceedings regarding adoption, termination of parent-child relationship and rights of the biological father.

IL *1997 Ill. Laws, P. A. 15*

Sec. 15 Extends provisions of protective orders to include contacting a minor and his or her foster parents.

IL *1997 Ill. Laws, P. A. 27*

Sec. 5 Directs the department and juvenile courts to provide more permanency, and to emphasize health and safety of dependent children.

IL *1997 Ill. Laws, P. A. 90-28*

Sec. 10-20 Adds hearing officers to the list of those allowed access to juvenile court records. Clarifies notification guidelines for shelter care hearings.

LA *1997 La. Acts, Act 79*

Adds certain state boards to the list of agencies authorized to obtain certain child welfare information when engaged in providing child welfare services.

LA *1997 La. Acts, Act 612/671*

Requires that courts assign custody of children in need of care to the state rather than to a particular placement. Directs courts not to divide legal and physical custody of a child assigned to the custody of the state. Requires the court to inform the child's parents of their obligations under the case plan if the court orders that the child be removed from his or her parents. Requires that a copy of the judgment of disposition be given to the parents. Modifies procedures pertaining to children in need of care proceedings.

MI *1996 Mich. Pub. Acts, Act 304*

Gives a noncustodial parent access to records or information regarding a child unless prohibited by a protective order.

MI *1996 Mich. Pub. Acts, Act 409*

Sec. 1 Transfers proceedings that pertain to adoption, name change, juvenile delinquency, and abuse and neglect from the probate court to the family court.

MN *1997 Minn. Laws, Chap. 239*

Sec. 2 Authorizes a child placement agency to obtain certain specified records.

Sec. 3 Requires that parents considering a voluntary out-of-home placement for a child be given notice specifying certain rights and consequences.

Sec. 36 Requires the judiciary to develop a "one judge, one family" model.

Sec. 37 Requires that, whenever feasible, local social service agencies should maintain the same caseworker on a case until conclusion.

NY *1996 N. Y. Laws, Chap. 684*

Allows HIV-related information to be disclosed to a relative or other legally responsible person with whom a child is placed.

PA *1996 Pa. Laws, SB 1323*

Allows certain state and county agencies to request and receive criminal history record information when performing duties relating to the welfare of children.

RI *1997 R. I. Pub. Laws, S 472*

Authorizes the court to revoke a guardianship if it is not in the best interests of the child. Requires the moving party to notify interested parties of any hearing on a motion for revocation.

RI *1997 R. I. Pub. Laws, S 474/6194*

Allows the state child welfare agency to disclose to the Department of Corrections records of youth transferred to the Department of Corrections through the waiver process.

TX *1997 Tex. Gen. Laws, Chap. 1022*

Sec. 94 Requires the state to adopt policies that provide for the improvement of the state's services to children and families and to increase the accountability of the state to clients.

Sec. 96 Authorizes the state to have access to certain criminal history records with regard to certain volunteers and others providing care to children.

WA *1997 Wash. Laws, Chap. 386*

Sec. 22 Allows for a judicial review in cases where a party seeking a declaration of dependency or a termination of parental rights is denied access to the records of any natural or adoptive child of the parent. Awards attorney's fees if access to records is determined to have been wrongfully denied.

Out-of-Home Placement/Foster Care

AK *1997 Alaska Sess. Laws, Chap. 94*

Clarifies duties of state and local citizen foster care review boards. Extends the review board system until June 30, 2000. Requires the state board to set priorities for cases receiving expedited review and allows the board to seek nonstate funding to assist in its activities. Permits state review boards to meet at least once annually and allows videoconference meetings. Increases number of members on local review panels. Authorizes review boards to hold special meetings and adopt regulations. Requires state agencies to provide information to local review panels. Sets timeline for review of cases and submission of reports.

AZ *1997 Ariz. Sess. Laws, Chap. 169*

Authorizes courts to waive certain conditions for the establishment of a permanent guardianship for a child involved in a dependency proceeding.

AZ *1997 Ariz. Sess. Laws, Chap. 222*

Sec. 2, 45 Defines "independent living program." Allows a licensed child welfare agency, in addition to the department, to establish an independent living program.

AR *1997 Ark. Acts, Act 216*

Sec. 1 Prohibits any adoption agency or entity that receives federal assistance and is involved in adoption or foster care placement from discriminating against the adoptive or foster parent or the child, based on race or national origin.

AR *1997 Ark. Acts, Act 1041*

Repeals and replaces the "Child Placement Agency Licensing Act." Requires that employees, volunteers, foster parents, adoptive parents and others in a child welfare agency be checked for child maltreatment through the central abuse registry and be subject to a criminal history check.

AR *1997 Ark. Acts, Act 1084*

Sec. 1 Allows adoptions and guardianships to be filed in a juvenile court that previously asserted continuing jurisdiction of the juvenile.

AR *1997 Ark. Acts, Act 1227*

Sec. 8 Requires a case plan in all dependency-neglect cases. Specifies required contents.

Sec. 11 Requires a review hearing every 6 months when a juvenile is in an out-of-home placement. Requires court to project a date for return home or alternative disposition based on consideration of specified factors.

Sec. 12 Changes time for permanency planning hearing from 18 months to 12 months after juvenile enters out-of-home placement. Specifies contents of permanency planning report to be prepared by the state.

CA *1996 Cal. Stats., Chap. 508*

Exempts a father, mother or spouse from liability for specific costs and legal fees if a petition declares the minor a dependent child of the court, or a minor is placed into a children's receiving home or foster care.

CA *1997 Cal. Stats., Chap. 671*

Revises the procedures for determining reimbursement rates of group home providers under the AFDC-FC program. Requires the department to report to the Legislature on its progress in implementing certain existing requirements relating to out-of-home child care placement.

CA *1997 Cal. Stats., Chap. 1016*

Requires 12 hours of pre-placement training and at least eight hours of annual post-placement training for foster parents. Allows for exceptions.

CA *1997 Cal. Stats., Chap. 1138*

Increases the frequency of required foster care custody status hearings for certain children from every 18 months to every 12 months.

CA *1997 Cal. Stats., Chap. 1139*

Authorizes the court to maintain the confidentiality of the address of a minor placed in foster care under certain conditions if visitation with a parent or guardian would jeopardize the child's safety.

CO *1997 Colo. Sess. Laws, HB 1079*

Sec. 1 Allows a minor to reside at a shelter licensed by a child care facility for up to two weeks after intake.

Sec. 2 Permits licensed child care facilities to provide both crisis intervention services and alternative residential services to homeless youth.

CO *1997 Colo. Sess. Laws, HB 1293*

Requires the state to provide certain information to county departments of social services regarding children in out-of-home placements in order to monitor the financial effect of such placements on school districts. Requires county departments of social services to consider specified factors regarding school districts in making recommendations to the court on out-of-home placements.

CO *1997 Colo. Sess. Laws, SB 97-218*

Requires the county child welfare agency to notify a child's guardian ad litem and others of its intention to recommend out-of-home placement or change an out-of-home placement. Allows guardians and others to seek an emergency hearing. Requires that no child remain in short-term care for more than 60 days, except in exceptional circumstances. Specifies notification procedures when a child runs away from an out-of-home placement. Specifies placement-reporting requirements.

Sec. 17, 18 Requires that reports to the court recommending a placement include the cost of the recommended placement. Requires that, if a court deviates from the recommendations in a placement evaluation and such deviation results in a cost increase, the court must make specific findings.

Sec. 7, 14 Creates a work group to consider any necessary changes to appeals procedures in child welfare cases. Allows certain relatives and foster parents to intervene in dependency and neglect proceedings following adjudication.

CT *1997 Conn. Acts, Act 319*

Sec. 19 Requires the state child welfare agency to place siblings together whenever possible.

FL *1997 Fla. Laws, SB 1760*

Requires a diligent search for relatives with whom it may be appropriate to place a child taken into custody. Specifies procedures for identifying such relatives. Requires that adult relatives of a child taken into custody be provided with notice regarding the child protective proceeding and its consequences.

IL *1997 Ill. Laws, P. A. 27*

Sec. 5 Prohibits discrimination against any foster parent on the basis of race in adoptive or foster care placements.

Sec. 15 Allows the state to issue or renew a foster family home license of a previously convicted applicant if, among other criteria, he or she was convicted more than 10 years prior to the application or renewal date.

Sec. 20, 25 Requires the state to report the disappearance of any child under its custody or guardianship to the local law enforcement agency. Expands I SEARCH unit duties to include tracking and recovering such dependent children and annually reporting on the number of recovered children.

Sec. 40 Requires petitions for relief from final orders or judgments to be filed within two years after entry. Provides exceptions.

IL *1996 Ill. Laws, Act 89-462*

Sec. 210 Prohibits the state from placing a child with a relative if the relative or anyone living in the relative's home was convicted of predatory criminal sexual assault of a child.

IL *1997 Ill. Laws, P. A. 90-512*

Sec. 13 Allows a juvenile court, with department approval, to place into subsidized guardianship certain minors who are unlikely to be returned home or adopted.

IL *1997 Ill. Laws, P. A. 90-28*

Sec. 10-5 Directs child welfare services to consider children's safety when making decisions about out-of-home placement.

Sec. 10-10 Allows the state to issue a new or renewed family foster home license to applicants convicted of certain offenses, with provisions.

Sec. 10-20 Requires case reviews of children remaining in substitute care to be reviewed every 6 months, instead of every 12 months, unless the child is placed with a relative. Sets goals and timeframes for short-term care, substitute care, guardianship and independence. Allows the current foster parent or relative caregiver to file for guardianship if returning home is not selected as the permanency goal.

IN *1997 Ind. Acts, Act 1255*

Disqualifies persons convicted of certain felonies from being foster parents.

IA *1997 Iowa Acts, Chap. 99*

Requires that placements be in the most family-like and most appropriate setting available. Requires that children placed out-of-state be visited at least once every 12 months.

IA *1997 Iowa Acts, Chap. 164*

Requires the child welfare agency to adopt rules specifying the elements of a preadoptive care agreement and written standards relating to the rights and responsibilities of families who provide foster or preadoptive care.

LA *1997 La. Acts, Act 612*

Requires that case plans document the necessity for any placement of the child in a different state or at a substantial distance from his or her parents' home.

LA *1997 La. Acts, Act 1152*

Requires that a child taken into state custody be placed with certain adult relatives willing to care for the child, unless the court finds such placement to be not in the child's best interest. Provides certain relatives with the right to petition for physical custody of the child.

LA *1997 La. Acts, Act 1374*

Establishes a kinship foster care program. Requires reasonable efforts to place children with relatives. Allows kinship foster parents to receive the full foster care rate. Requires the state to develop eligibility standards for kinship foster parents and specifies certain criteria. Requires background investigations of potential kinship foster parents. Requires development of a case plan for children placed in kinship foster care. Specifies rights and privileges of kinship foster parents. Directs the state to promulgate necessary rules.

ME *1997 Me. Public Laws, Chap. 39*

Decreases from 12 months to 6 months the time period for a child in foster care to qualify for long-term foster care absent a termination of parental rights.

ME *1997 Me. Public Laws, Chap. 46*

Requires the state to provide insurance advice and services to specialized children's homes.

ME *1997 Me. Public Laws, Chap. 322*

Requires an annual report on children in the care and custody of the state including out-of-state placements, adoption statistics and reunification efforts.

ME *1997 Me. Public Laws, Chap. 343*

Decreases time period for a foster parent to obtain intervenor status in certain court proceedings from 365 days to 120 days.

MA *1996 Mass. Acts, Chap. 151*

Sec. 595 Defines family foster care as private residence for no more than six children, including four children under 18. Provides exceptions to maximum number of children in cases of sibling placement. special needs and other considerations.

Sec. 593 Requires the promulgation of regulations for licensure of all foster homes.

Sec. 566 Requires the promulgation of regulations providing for differing levels of foster care, including care for children with special medical, psychological or social needs, and including a tiered reimbursement system for different levels of care.

Sec. 550 Allows the use of certain state funds for the purpose of funding scholarships for foster children who are or will be pursuing a college degree.

Sec. 277 Requires the state to determine if a child to be placed in family home care has committed an offense of violence and, if so, not to place the child in a nonsecure setting without a determination by a diagnostician that the placement would be safe. Requires the implementation of a plan to ensure the safety of other children, including certain disclosure and notification requirements.

Sec. 276 Amends definition of "evidence" in certain child protective proceedings to include testimony of foster parents or pre-adoptive parents, as well as of the child.

MI *1996 Mich. Pub. Acts, Act 410*

Allows a mentally or physically disabled child to be committed to a state institution.

MN *1996 Minn. Laws, Chap. 86*

Sec. 1, 10 Changes protection of heritage or background requirements in placement decisions based on the best interests of the child. Specifies that color or national origin are factors that cannot delay placement of a child. Encourages placement with relatives and important friends. Requires that siblings be placed together, whenever possible.

Sec. 2 Changes the terms used regarding training for foster parents from "on the importance of protecting" to "understanding and validating" the cultural heritage of all foster children. Adds understanding the importance of the Indian Child Welfare Act and the Minnesota Family Preservation Act to the training.

Sec. 3 Requires that child placement agencies focus on the child's needs and capacity of prospective foster parents to meet those needs.

Sec. 4 Clarifies the radio and television campaign to recruit ethnically and racially diverse adoptive and foster care families.

Sec. 5 Removes the word "minority" from the foster and adoptive family recruitment specialist position.

Sec. 6-8 Removes the word "minority" and clarifies understanding and validating a child's cultural background regarding adoptive and foster care training and determination of prospective adoptive and foster care families.

Sec. 9 Clarifies consideration of racial and ethnic heritage in adoption placements. Specifies consideration of placement with relative or important friend. Specifies that this provision does not affect the Indian Child Welfare Act or the Minnesota Family Preservation Act.

Sec. 11 Changes the timeline required to locate relatives for adoptive placement.

Sec. 12 Specifies factors to be considered in determining child's needs in foster care placements.

MN *1996 Minn. Laws, Chap. 107*
Sec. 14 Allows a court review to satisfy the requirement for an administrative review in a child placement case.

Sec. 16 Changes from two years to 12 months the time required for the social services agency responsible for a child placement to petition the court.

Sec. 17 Changes the requirement for dispositional hearings from once every two years to once every 12 months.

MN *1997 Minn. Laws, Chap. 112*
Sec. 8 Allows for use of a relative care agreement in child protective cases. Requires that parents and relatives participate in a facilitated relative care conference prior to entering into a relative care agreement.

MN *1997 Minn. Laws, Chap. 239*
Sec. 3 Requires that parents who are considering a voluntary out-of-home placement for a child be given a notice specifying certain rights and consequences.

Sec. 4, 8 Requires local social service agencies to identify relatives for permanent placement within 6 months after a child enters foster care, and to provide them with certain information. Specifies that the requirement of special efforts to locate relatives is satisfied on the earlier of 1) placement of the child with a relative interested in a permanent placement, or 2) the expiration of six months during which the state has made appropriate efforts.

Sec. 5 Requires that, if a permanent placement fails, either the child is to be returned to the most recent prior placement or the court must hold a hearing to determine placement.

Sec. 6, 7 Shortens the timeframe from six months to 90 days during which the state must return a child home from a voluntary placement or file a petition to extend the placement. Reduces from 18 months to six months the deadline for court review of voluntary placements of handicapped children.

Sec. 24 Requires peace officers who take a child into custody to notify the parent or custodian of the right to request that the child be placed with a relative.

Sec. 25 Allows a court, upon a determination that reunification is unlikely, to authorize the state to notify certain specified adults that a permanent home for the child is being sought and giving them 30 days in which to indicate their interest in providing a permanent home for the child.
Sec. 28 Changes from 2 years to 12 months the period for reviewing foster care of handicapped children.

Sec. 35 Requires the state to explore strategies to facilitate recruitment of foster and adoptive families. Requires a report to the legislature by February 1, 1998.

MS *1997 Miss. Laws, SB 2849*
Requires that a child in foster care be referred for termination of parental rights and permanent placement if the child's natural parents have not fulfilled the conditions of their service agreement within six months after entry of the child into foster care. Provides for six-month reviews of foster care cases. Requires that relatives of the child be given priority consideration for foster placement and that certain foster care rules be waived in such instances.

MO *1997 Mo. Laws, HB 509*
Establishes the "Grandparents as Foster Parents Program." Sets criteria, guidelines and program components.

MT *1997 Mont. Laws, Chap. 514*
Sec. 9 Changes the definition of "substitute care" and removes the definition for "operator of a youth care facility."

Sec. 10 Requires kinship care providers and extended family members to receive written approval from the department to provide unlicensed care for youth.

Sec. 11 Gives the department the authority to grant approval to kinship care providers or extended family members to provide care for youth.

NE *1997 Neb. Laws, L. B. 119*
Defines "department," "law enforcement" and "out-of-home abuse or neglect." Requires law enforcement and the department to notify the person(s) having custody of reports of out-of-home child abuse if the person(s) with custody is not the subject of the abuse or neglect report.

NM *1997 N. M. Laws, Chap. 34*
Sec. 5 Outlines permanency hearing procedures, time frames and reporting requirements. Creates a rebuttable presumption during the permanency hearing that the child's best interest is served by returning the child to his parent, guardian or custodian. Changes the child's best interest to being served by adoption, emancipation, permanent guardianship or long-term foster care during subsequent permanency hearings.

NY *1996 N. Y. Laws, Chap. 282*
Increases the allowable capacity of foster family boarding homes to encourage siblings and half-siblings to be placed together and to enable minor parents and their children to be placed together. Allows certain foster children, after an interruption in care, to be placed with the foster parents with whom such children were previously placed.

ND *1996 N. D. Sess. Laws, SB 2147*
Requires fingerprinting and criminal history checks of employees of foster care facilities.

ND *1996 N. D. Sess. Laws, SB 2148*
Reduces from 18 months to 12 months the length of time a foster care order may be extended.

OH *1997 Ohio Laws, HB 265*

Sec. 2151.1331 Allows detaining an allegedly or adjudicated abused, neglected or dependent child in a certified family foster home for a certain amount of time.

OH *1996 Ohio Laws, HB 274*

Allows a family foster home to receive more than 5 children if necessary in order to accommodate a sibling group. Requires public children's services agencies receiving a report of child abuse or neglect involving an out-of-home care entity to provide notice of the report to the administrator of the entity or, if the administrator is the alleged perpetrator, the owner or governing board.

OK *1997 Okla. Sess. Laws, HB 2133*

Sec. 1 Expands the duties and membership of the Postadjudication Review Advisory Board. Requires the board's involvement in resolving issues concerning the foster care system, promotion of foster parent involvement and developing foster care training.

Sec. 3 Revises the types of information and records that must accompany a deprived child placed outside the child's home.

Sec. 5, Allows a court to order a child's permanent care and custody to be transferred to another person upon the written consent of the child's parents. Requires the court, in adoption considerations, to give great weight to a foster parent with whom the child has lived for at least one year, unless an emotional bond exists with a relative.

Sec. 7, 11, 17 Requires the advocate general to investigate grievances of foster parents. Allows a foster parent to report to the advocate general of the Department of Human Services any allegations regarding threats, harassment, discrimination or retaliation by an employee of the department or of a child-placing agency. Requires the department to initiate a plan of corrective discipline with regard to any employee or contractor determined to have retaliated or discriminated against a foster parent.

Sec. 10 Requires the Department of Human Services and the Department of Juvenile Justice to each exercise oversight of all foster children within the custody of the state agency. Requires each department to provide a toll-free, statewide foster parent hotline.

Sec. 12, 13 Requires that a contract for foster care services include a description of the process for payment for services and reimbursement of eligible expenses. Requires that foster parents be provided with a copy of the statement of foster parent rights and a copy of the department's policies and procedures pertaining to out-of-home placement. Specifies the content for a statement of foster parent rights.

Sec. 14, 15 Specifies that in cases of a child reentering foster care, the foster parent with whom the child was previously placed shall be given preference unless there is a kinship placement available. Requires court approval to change a foster placement if a foster parent with whom the child has resided for more than 6 months objects in writing.

Sec. 16, 18, 20 Requires the state to develop certain kinship foster care training and educational programs. Requires kinship care providers to satisfy certain certification and training requirements. Requires the department to perform a home study in connection with a kinship foster care placement. Requires the state to establish an educational program for grandparents who provide primary care for at-risk children. Requires criminal background checks of adults living in foster family homes.

Sec. 21 Requires the Department of Human Services to establish a program of supported guardianship and to request a waiver from the federal government to conduct a three-year demonstration program. Requires the state to submit to the Legislature recommended legislation regarding long-term placement of children in cases in which adoption or termination of parental rights is not possible or not in the best interest of the child.

OR *1997 Or. Laws, Chap. 479*

Sec. 4 Requires that relatives and those who have a parent-child relationship with the child be given preference when a child is in need of placement. Specifies factors to be considered by the state in attempting to place a child with a relative.

Authorizes legal grandparents to intervene in proceedings involving the custody, visitation, placement or guardianship of a child.

OR *1997 Or. Laws, Chap. 873*

Sec. 3 Authorizes the court to hear petitions for permanent guardianship in cases where the parent should not have physical custody but where other parental rights should not be terminated.

OR *1997 Or. Laws, HB 2787*

Directs the state child welfare agency to consider the use of "family decision-making meetings" to establish plans to provide for the needs of children placed in substitute care for more than 30 days. Specifies procedures regarding notice and attendance at a meeting. Requires the state to develop a written family plan based on a family meeting.

RI *1997 R. I. Pub. Laws, H 6297*

Enacts "Brendan's Law" and sets penalties for those who are caring for children and inflict harm upon them.

SC *1997 S. C. Acts, Act 3139*

Requires the state child welfare agency to visit children in foster care to assess if abuse or neglect is occurring. Requires placement plans for children in foster care to include the number of contacts a caseworker must have with the child.

SD *1997 S. D. Sess. Laws, SB 64*

Limits the time that a child may remain in foster care under certain conditions.

SD *1997 S. D. Sess. Laws, HB 1076*

Allows certain foster children to attend the school district in the resident district of the foster parent.

TN *1997 Tenn. Pub. Acts, Chap. 170*

Establishes a "Kinship Foster Care Program" in the Department of Children's Services. Outlines program components.

TN *1997 Tenn. Pub. Acts, Chap. 478*

Creates a pilot program for group therapeutic homes for at-risk children, including foster care and group homes that address the needs of mildly disturbed youths.

TN *1997 Tenn. Pub. Acts, Chap. 549*

Enacts the "Foster Parents Rights Act."

TX *1997 Tex. Gen. Laws, Chap. 241*

Requires the Health and Human Services Commission and each health and human services agency to develop procedures ensuring that a permanency plan is developed for each child who resides in a state institution.

TX *1997 Tex. Gen. Laws, Chap. 484*

Requires the development of methods to maximize federal matching funds for foster care.

TX *1997 Tex. Gen. Laws, Chap. 600*
Sec. 4 Allows an authorized representative of the department to assume care for an abandoned child whose identity cannot be determined. Requires the state to immediately file suit to terminate parental rights.

Sec. 17 Specifies provisions for a final order thst appoints the department as managing conservator of a child without terminating parental rights.

TX *1997 Tex. Gen. Laws, Chap. 913*
Specifies certain notification requirements regarding children with developmental disabilities who are placed in an institution. Requires the development of procedures to ensure permanency planning for each child residing in an institution.

TX *1997 Tex. Gen. Laws, Chap. 1022*
Sec. 92 Revises criteria regarding contracts with substitute care providers. Requires the monitoring of foster parent performance.

Sec. 93 Requires the state, before placing a child in substitute care, to use the assessment services provided by a child-care or child-placing agency.

Sec. 98 Requires the development of result-oriented standards for providers of substitute care.

Sec. 103 Requires that representatives from each state agency that purchases substitute care meet to assess the need for such care and to develop a competitive bidding process.

TX *1997 Tex. Gen. Laws, Chap. 1217*
Requires inspections of listed family child care homes that have had a complaint of abuse or neglect filed against them.

UT *1997 Utah Laws, HB 109*
Requires the court to consider the child's relationship with foster parents who petition for adoption.

UT *1997 Utah Laws, HB 178*
Establishes foster care citizen review boards in certain juvenile court districts and requires periodic reviews of each child in state custody no less frequently than every 6 months. Requires that each board prepare a dispositional report to be furnished to the court.

UT *1997 Utah Laws, HB 307*
Sec. 26 Requires that, upon the expiration of 30 days after a shelter hearing, the court shall base its custody decision on the best interest of the child, rather than giving preferential consideration to a natural parent.

Sec. 15 Authorizes the state to require an FBI criminal history background check on all applicants seeking a license to provide services relating to child placing and foster care.

VA *1997 Va. Acts, Chap. 790*
Revises provisions governing abused and neglected children to standardize and expedite the out-of-home placement process. Reduces timeframes for preliminary protective orders, adjudicatory hearings, dispositional hearings, permanency planning hearings and foster care plan reviews. Changes the time frame for foster care placement review hearings from 12 months to six months after the dispositional hearing.

WA *1997 Wash. Laws, Chap. 272*

Sec. 1, 3, 4 Eliminates the plan for recruiting prospective adoptive and foster homes and the requirement that the plan be submitted for review to the House and Senate committee on social and health services. Requires the department to contract with a private agency to recruit an adequate number of prospective adoptive and foster homes. Adds teens, pregnant and parenting teens to the list of types of homes needed. Requires an annual report to the governor and Legislature regarding the department's success in meeting the need for adoptive and foster care placements, reducing the foster parent turnover rate, completing home studies for legally free children, and implementing and operating the new "passport program."

Sec. 2 Requires the department to provide a foster parent liaison position in each region, within available resources. Requires the department to contract with a private, nonprofit organization for this function. Outlines position duties.

Sec. 5 Requires the department, within available resources, to create "passports" containing information on the mental, physical, health and educational status of a child, on any children in foster care for more than 90 days.

Sec. 6 Requires the department to provide child care to all foster parents who are required to attend department-sponsored meetings or training sessions.

Sec. 7 Requires the department to share information about the child and the child's family with the foster care provider regarding the child's case plan.

WA *1997 Wash. Laws, Chap. 280*

Sec. 1 Requires that the court's decision to continue an out-of-home placement at the 75-day review hearing must be based on "clear, cogent and convincing evidence."

WA *1997 Wash. Laws, Chap. 386*

Sec. 7 Removes child with a developmental disability from the definition of "dependent child."

Sec. 8 Makes "clear and convincing evidence" the standard that the court must use to determine if manifest danger exists that the child will suffer serious neglect or abuse if not removed from the home, with conditions.

Sec. 16,19 Allows for a voluntary placement process, with parents retaining legal custody, when children with developmental disabilities require an out-of-home placement. Stipulates that parents retain legal custody during placement. Outlines the department's responsibilities. Defines "voluntary placement agreement," "out-of-home placement" and "out-of-home care." Specifies that an agreement regarding an Indian child must be executed in writing before the court and filed with the court. Sets timeframe a judicial determination that continued placement is in the best interests of the child.

Sec. 17 Adds developmentally disabled children in voluntary out-of-home placement agreements to the list of those under the original jurisdiction of the county juvenile courts.

Sec. 47 Requires the department to prepare an annual quality assurance report that is to include children's length of stay in out-of-home.

Sec. 49-55 Requires that the department develop a policy for assessing the sexual aggressiveness and vulnerability to sexual victimization of children or youth placed in state-operated or funded residential facilities. Requires the implementation of the assessment process, as well as the development of placement criteria, and a report and evaluation to the legislature.

WA *1997 Wash. Laws, SB 5578*

Sec. 3 Authorizes social services to place an at-risk youth in an out-of-home placement for up to 72 hours, after which a CHINS petition must be filed if the parent has not taken the child from the placement.

WV *1997 W. Va. Acts, Chap. 53*
Changes the supplementary petition of review of children in state custody from 18 months to within 12 months and every 12 months thereafter.

Sets requirements for proposed behavioral health care facilities and services for children who are at risk of, or are, placed out-of-home. Establishes a special account in the department of health and human resources to fund.

Creates a child placement alternative corporation to function as the single entity responsible for recommending appropriate out-of-home placements for children. Outlines membership and duties.

Termination of Parental Rights

AZ *1997 Ariz. Sess. Laws, Chap. 10*
Sets timeline for periodic review hearings, permanency hearings and termination of parental rights hearings.

AZ *1997 Ariz. Sess. Laws, Chap. 222*
Sec. 49 Adds to grounds for termination of parental rights to include situations in which parents knew of serious physical or emotional abuse occurring, the murder or manslaughter of another child of the parent, the identity of the parent is unknown after a three month attempt to locate the parent, the termination of parental rights with respect to another child within the past two years for the same cause, and the removal of a child from the parent's custody again after being returned to the parent from an out-of-home placement.

AR *1997 Ark. Acts, Act 1227*
Sec. 13 Provides that parental rights may be terminated when a parent is convicted of murder or manslaughter of another child of such parent, or when a parent is convicted of felony assault resulting in serious injury to a child.

CA *1997 Cal. Stats., Chap. 1028/1082*
Prevents courts from judging, solely on the basis of certain foster care or preadoptive placements, that reasonable family reunification services have not been provided or offered to the parents for the purposes of parental rights termination.

Revises circumstances when a termination of parental rights is deemed detrimental to the minor's well being.

CA *1996 Cal. Stats., Chap. 1083*
Requires a specified notice to the parent or guardian of a child under age 3 on the date of removal from the home. Authorizes the court to schedule a termination of parental rights hearing on the date of removal rom the parents of a 3-year-old or younger. Requires the court to specify factual basis that a return to a parent would be detrimental.

CO *1997 Colo. Sess. Laws, SB 218*
Sec. 7, 16 Provides that an order terminating or refusing to terminate parental rights shall be a final, appealable order. Authorizes a court to terminate parental rights on the grounds that the parent has engaged n a pattern of habitual abuse.

FL *1997 Fla. Laws, HB 1111*
Authorizes the filing of a termination petition with regard to certain incarcerated parents. Specifies powers of disposition when parental rights are terminated and the child is in the custody of the state, the other parent or neither. Specifies that termination of parental rights does not affect the rights of grandparents.

FL *1997 Fla. Laws, SB 1760*

Sec. 10 Revises guidelines relating to court inquiry and diligent search in termination proceedings when the identity or location of a parent is unknown.

GA *1997 Ga. Laws, SB 28*

Sec. 2, 3 Requires a termination of parental rights petition to include a certificate from the putative father registry when seeking to terminate rights of a biological father who is not the legal father but has acknowledged paternity of the child. Clarifies circumstances in notifying these fathers of proceedings.

IL *1997 Ill. Laws, P. A. 27*

Sec. 30 Expedites termination of parental rights of unfit parents in cases of abandonment, torture, chronic abuse, criminal conviction of murder, involuntary termination of parental rights of a child's sibling or extreme incapacity to care for a child. Allows the court to terminate parental rights and appoint a guardian with power to consent to adoption before or at the first permanency hearing.

Sec. 45 Broadens the grounds for parental unfitness to include a finding of not guilty by reason of insanity in cases of physical abuse that results in death. Adds criminal conviction of solicitation, attempt to commit, conspiracy to commit or accountability for a first- or second-degree murder of a child to the grounds for unfitness.

IL *1997 Ill. Laws, P. A. 90-443*

Sec. 10 Facilitates termination of parental rights of parents who fail to correct the conditions thar led to placement of their children in state care. Allows a court to declare parents unfit who do not meet their parental obligations.

IL *1997 Ill. Laws, P. A. 90-28*

Sec. 10-20 Expands conditions under which parental rights can be terminated to include abandonment, torture, chronic abuse or murder of any child or sibling of the child, and parental unfitness, established by clear and convincing evidence. Adds termination of parental rights to the types of petitions sought regarding the best interests of a minor.

Requires counsel appointed for a minor to appear at all stages of termination of parental rights court proceedings.

Requires the court to admonish parents to cooperate with the department, comply with service plans and correct conditions that required their child to be put in state care or risk termination of their parental rights.

IA *1997 Iowa Acts, Chap. 161*

Redefines "to abandon a minor child" for purposes of termination of parental rights proceedings. Establishes criteria for determining that a putative father has abandoned a child.

IA *1997 Iowa Acts, Chap. 173*

Eliminates the requirement that a parent, guardian or custodian be notified prior to a termination of parental rights hearing with respect to a minor parent.

LA *1997 La. Acts, Act 256*

Requires that termination proceedings be given priority over other matters, excluding child protection proceedings. Modifies definitions. Clarifies who may petition for termination. Adds murder or unjustified killing of the child's other parent to the grounds for termination. Specifies conduct constituting extreme abuse. Modifies procedures pertaining to termination proceedings. Articulates parents' due process rights in termination proceedings. Provides that the burden of proof in termination proceedings is by clear and convincing evidence. Clarifies rules regarding proof of parental misconduct. Authorizes orders for continued contact after parental rights are terminated.

ME *1997 Me. Public Laws, Chap. 363*

Authorizes the termination of parental rights of a parent who conceived the child during the commission of a crime involving sexual intercourse.

ME *1997 Me. Public Laws, Chap. 475*

Shortens timeframes relating to termination of parental rights and makes such termination subject to the best interest of the child.

MD *1997 Md. Laws, Chap. 496*

Grants the district court in Montgomery County, sitting as the Juvenile Court, jurisdiction over termination of parental rights and adoption proceedings involving children in need of assistance.

MI *1996 Mich. Pub. Acts, Act 408*

Allows a parent to terminate parental guardianship. Outlines court procedures and responsibilities in such cases.

MI *1996 Mich. Pub. Acts, Act 412*

Defines emancipation of a minor and outlines procedures. Outlines procedures to rescind the order.

MN *1997 Minn. Laws, Chap. 239*

Sec. 29-32 Expands the definition of "palpable unfitness" as a ground for termination. Provides, for purposes of a termination proceeding, that a failure of reasonable efforts may be presumed upon a showing of out-of-home placement for a cumulative period of more than one year within a five-year period. Adds as a ground for termination that the parent has been convicted of one of the listed homicide or assault crimes. In a termination proceeding, requires a court finding that further provision of services for reunification is futile or is unnecessary because the parent was convicted of a specified crime. Allows a parent whose rights are terminated to be a party to a communication or contact agreement. Requires the retention of jurisdiction over the child after termination when adoption or long-term foster care is the intended permanent disposition.

MS *1997 Miss. Laws, SB 2849*

Requires that a child in foster care be referred for termination of parental rights and permanent placement if the child's natural parents have not fulfilled the conditions of their service agreement within six months after entry of the child into foster care. Provides for six-month reviews of foster care cases. Requires that relatives of the child be given priority consideration for foster placement and that certain foster care rules be waived in such instances.

MT *1997 Mont. Laws, Chap. 480*

Sec. 49 Outlines termination of parental rights.

MT *1997 Mont. Laws, Chap. 516*

Sec. 13 Adds to the grounds for termination of the parent-child legal relationship.

NM *1997 N. M. Laws, Chap. 34*

Sec. 6 Requires the court to consider adoption when examining the needs of the child in termination of parental rights proceedings. Adds as a condition for terminating parental rightsa parent causing great bodily harm or death to a child or a child's siblings.

Sec. 7 Sets timeframes for hearings on the motion to terminate parental rights.

NY *1996 N. Y. Laws, Chap. 607*

Clarifies venue for proceedings to terminate parental rights.

OK *1997 Okla. Sess. Laws, Chap. 75*
Establishes a biological parent's consent process to permanently relinquish parental rights for adoption.

OK *1997 Okla. Sess. Laws, HB 2133*
Sec. 8 Allows courts to extend for a reasonable time the period in which a parent may show that the condition justifying termination of parental rights has been corrected, such extension to be based on the child's age, emotional and developmental needs.

OR *1997 Or. Laws, Chap. 873*
Sec. 7-9 Allows for termination of parental rights on the grounds of parental unfitness if improvement of the parents is improbable within a reasonable time, defined in terms of the child's emotional needs. Adds criminal conduct to the list of conditions to be considered in terminating parental rights. Directs the court to disregard minimal expressions of concern on the part of parents.

SC *1997 S. C. Acts, Act 3139*
Adds as grounds for terminating parental rights the willful desertion or surrender of possession of a child without adequate arrangements for the child. Reduces from 90 days to 30 days the time within which the state must submit a plan for permanent placement of the child when grounds for termination are found to exist. Expands the categories of those who may not be foster parents.

SD *1997 S. D. Sess. Laws, SB 261*
Terminates all rights of the natural parents of an adopted child. Specifies exceptions.

TN *1997 Tenn. Pub. Acts, Chap. 253*
Defines abandonment for purposes of terminating parental or guardian rights in order to make the child available for adoption.

TN *1997 Tenn. Pub. Acts, Chap. 379*
Allows an incarcerated parent or guardian to participate in and contest the termination of parental rights hearing.

TX *1997 Tex. Gen. Laws, Chap. 575*
Sec. 9 Allows causing a child to be born addicted to alcohol or controlled substances to be grounds for termination of parental rights.

TX *1997 Tex. Gen. Laws, Chap. 600*
Sec. 4 Allows an authorized representative of the department to assume care for an abandoned child whose identity cannot be determined. Requires the state to immediately file suit to terminate parental rights.

Sec. 12, 19 Requires the department to develop a permanency plan for each child under its care and to begin locating adoptive parents as soon as a plan is developed that includes termination of parental rights.

Sec. 17 Specifies provisions for a final order that appoints the department as managing conservator of a child without terminating parental rights.

TX *1997 Tex. Gen. Laws, Chap. 601*
Prohibits an attack on the validity of a termination of parental rights order six months after the order was signed. Limits the issues that certain attacks on an order terminating parental rights may address.

TX *1997 Tex. Gen. Laws, Chap. 603*
Requires that parents involved in child protection proceedings be informed that parental rights may be terminated.

TX *1997 Tex. Gen. Laws, Chap. 1022*

Sec. 60, 61 Authorizes termination of parental rights if a parent has failed to comply with a court order setting forth the actions required for the parent to obtain the return of the child. Requires a continuance of a termination proceeding during the pendency of related criminal charges. Authorizes orders denying access to a child in such cases.

Sec. 80 Requires that parents involved in child protective proceedings be notified of possible termination of parental rights.

TX *1997 Tex. Gen. Laws, Chap. 1249*

Requires the appointment of a guardian ad litem to represent a child in a suit by a governmental entity requesting termination of parental rights or appointment of the state as conservator of the child. Specifies powers and duties of a guardian ad litem and requires the attorney general to adopt standards for a local volunteer advocate program.

UT *1997 Utah Laws, HB 109*

Limits reunification services in cases of abandonment and authorizes the department to petition the court for termination of parental rights.

UT *1997 Utah Laws, HB 307*

Sec. 37 Eliminates the requirement that a court consider the reunification services provided to parents in determining whether parental rights should be terminated.

VA *1997 Va. Acts, Chap. 690*

Redefines "party with a legitimate interest in a child" for purposes of standing in juvenile and family court proceedings and in custody and visitation determinations. Excludes those whose parental rights have been terminated or whose interest in a child derives from a parent whose rights have been terminated, if the child subsequently has been legally adopted.

WA *1997 Wash. Laws, Chap. 386*

Sec. 22 Allows for judicial review in cases where a party seeking a declaration of dependency or a termination of parental rights is denied access to the records of any natural or adoptive child of the parent.

FAMILY LAW

Custody and Visitation

AZ *1997 Ariz. Sess. Laws, Chap. 45*
Sec. 1 Requires the court to consider all relevant factors when determining the child's best interest for grandparent and great-grandparent visitation rights.

AZ *1997 Ariz. Sess. Laws, Chap. 176*
Sec. 1 Allows the court to impose a sanction on parent who fails to notify the other parent of an out-of-state move. Allows the nonmoving parent to petition the court to prevent relocation of the child. Requires the court to consider the child's best interest when determining whether to allow a parent to relocate the child.

AZ *1997 Ariz. Sess. Laws, Chap. 295*
Sec. 1 Allows a child custody proceeding to commence in superior court by a nonparent. Permits the court to deny a petition unless the petitioner establishes certain facts as true.

AR *1997 Ark. Acts, Act 345*
Sec. 1 Allows a noncustodial parent who has been awarded child visitation rights to receive a copy of the child's current school records.

AR *1997 Ark. Acts, Act 730*
Sec. 1 Allows a minor's parent to petition the court to order a criminal record check of the other parent of the minor.

AR *1997 Ark. Acts, Act 905*
Sec. 1 Allows the court, if in the child's best interest, to provide frequent contact with both parents.

AR *1997 Ark. Acts, Act 1328*
Sec. 1 Requires the court to consider domestic violence in a custody or visitation case.

CA *1996 Cal. Stats., Chap. 387*
Requires the judicial council to develop standards for supervised visitation providers in accordance with specified guidelines. Requires a report on these guidelines to the Legislature.

CA *1997 Cal. Stats., Chap. 406*
Allows a parent to request reconsideration of an existing child custody order if the other parent has been convicted of falsely accusing the first parent of child abuse.

CA *1996 Cal. Stats., Chap. 835*
Requires the court to consider any history of abuse when considering custody.

CA *1996 Cal. Stats., Chap. 836*
Requires the court to consider habitual or continual illegal use of controlled substances or alcohol abuse by either parent when determining custody.

CA *1996 Cal. Stats., Chap. 988*
Allows the court to issue an emergency protective order if a child is in danger of being abducted.

CA *1996 Cal. Stats., Chap. 1083*

Revises reunification time period. Authorizes the court to deny reunification services for a parent or guardian who willfully abandoned the minor and is a serious danger to the child.

Requires a specified notice to the parent or guardian of a child under age 3 on the date of removal from the home. Authorizes the court to schedule a termination of parental rights hearing on the date of removal from the parents of a child age 3 or younger. Requires the court to specify factual basis that a return to a parent would be detrimental.

CA *1996 Cal. Stats., Chap. 1139*

Requires court to consider the removal of an offending parent to protect the child from future harm. Requires confidentiality of the address of a parent who is a victim of domestic violence. Prohibits any visitation orders that jeopardize the safety of the child and authorizes the court to keep the minor's address confidential. Allows certain restraining and protective orders under the jurisdiction of juvenile court be electronically transmitted to the Department of Justice.

CO *1997 Colo. Sess. Laws, SB 97-71*

Sec. 1 Allows a nonparent who has been granted court-ordered custody of a child to commence custody proceedings.

Sec. 3 Allows the juvenile court to award sole or joint custody in a case involving a child who is dependent or neglected and no custody action concerning the child is pending.

Sec. 7 Permits the court to issue temporary protective custody or emergency protection orders under certain circumstances.

CO *1997 Colo. Sess. Laws, HB 97-1103*

Sec. 1 Allows the court to appoint a representative for another party's minor or dependent children or a special advocate to assist the court in a domestic relations proceeding. Prohibits the same person to serve as both the child's representative and the special advocate.

CO *1997 Colo. Sess. Laws, HB 97-1164*

Sec. 1 When there is a hearing, requires the court to issue orders to a parent who has not complied with a parenting time order or schedule and has violated the court order. Allows the court to impose a civil fine on the noncomplying parent.

Sec. 2 Authorizes the state to develop a parenting time enforcement program to enhance and facilitate a child's access to noncustodial parents.

DE *Vol. 71 Del. Laws, Chap. 137*

Narrows the definition of "abuse." Allows the court to render a valid support, custody or visitation order using the same information in the abuse order, without having to modify the protective order. Allows the court to grant an extension for protection from an abuser.

FL *1997 Fla. Laws, HB 55*

Sec. 3 Requires a court, in custody matters, to consider evidence of domestic violence or child abuse even without a conviction or an injunction resulting from such actions. Requires a court to consider, for purposes of shared parental responsibility and primary residence, whether a party has provided false information regarding domestic violence.

FL *1997 Fla. Laws, HB 1421*

Establishes legislative policy on relocating children and custodial parents and parents following a dissolution of marriage. Establishes standards for courts to use in determining whether a relocation is in the best interest of the child. Allows courts to consider rotating custody as an option in awarding custody.

IN *1997 Ind. Acts, P. L. 1807*

Requires the prosecuting attorney to file a petition to establish paternity of a child born out of wedlock in specific cases. Allows for a make up of any lost visitation in certain situations.

LA *1997 La. Acts, Act 374*

Requires the court to specifically allocate time the child will spend between parents, unless immediate danger to the child, in the event a temporary custody is denied.

LA *1997 La. Acts, Act 1144*

Relaxes a qualification of mediators in child custody dispute cases and in co-mediation training. Transfers authority regulating dispute mediators from the Louisiana Supreme Court to the Louisiana State Bar Association.

LA *1997 La. Acts, Act 1173*

Defines "equal physical custody," "parent entitled to primary custody," "principal residence of a child" and "relocation."

Establishes guidelines for moving the child's residence of a custody and visitation order. Requires a parent with primary custody of a child to notify the other parent of relocating within a certain time period. Outlines a procedure for temporary relocation and related sanctions.

ME *1997 Me. Public Laws, Chap. 187*

Clarifies the definition of shared parental rights and responsibilities. Allows the court to consider evidence of willful misuse of the protection from abuse process.

ME *1997 Me. Public Laws, Chap. 403*

Requires that the order awarding parental rights and responsibilities must state that a parent with shared custody of a child notify the other parent in advance of an intent to relocate with the child.

MD *1997 Md. Laws, Chap. 323*

Allows a court to require an educational seminar for divorcing parents in cases involving child support, custody and visitation issues about the effects of divorce on children. Provides for exceptions, sanctions, fee requirements and criteria for exceptions. Prohibits exceptions in cases of domestic violence or child abuse and neglect.

MN *1997 Minn. Laws, Chap. 112*

Sec. 2 Authorizes the transfer of legal and physical custody of a child to a relative by consent decree. Sets forth required contents of such consent decrees.

Sec. 7 Makes temporary ex parte custody orders available to all relatives. Defines "relative."

MN *1997 Minn. Laws, Chap. 239*

Sec. 2, 3 Requires that family visitation centers meet state standards.

Sec. 6 Requires the judicial education program to cover the effect of domestic violence on children and the importance of considering these effects in custody and visitation decisions.

Sec. 8 Requires a judge to consider the existence of an order for protection in making visitation decisions. Requires the state to develop standards for those responsible for supervising visitation.

Sec. 10 Requires that those convicted of terrorist threats, harassment or stalking have the burden of proving that visitation or custody is in the best interest of the child.

Sec. 14 Requires a court in a custody proceeding to consider the existence of domestic violence between the parties.

MN *1997 Minn. Laws, Chap. 1908*

Sec. 21 Establishes the Relative Custody Assistance Act. Requires a local agency to perform certain duties when seeking a court order to establish permanent custody of a child with a relative.

MT *1997 Mont. Laws, Chap. 343*

Sec. 15 Requires the court to determine a parenting plan that is in the best interest of a child involved in a custody or visitation case. Outlines interim parent plans in such cases.

Sec. 22 Requires a parent involved in custody and visitation cases to give written notice to the other parent when moving.

MT *1997 Mont. Laws, Chap. 514*

Sec. 1 Specifies that the Department of Public Health and Human Services may not be ordered to supervise visitation.

NV *1997 Nev. Stats., Chap. 380*

Authorizes the appointment of a special master to identify the person most qualified to serve as a guardian for a child determined to be in need of a guardian. Requires that petitions for the appointment of a guardian state whether the guardianship is sought as a result of abuse or neglect. Allows for the testimony of certain interested persons at hearings to identify a guardian.

NH *1997 N. H. Laws, Chap. 28*

Requires a guardian ad litem appointed in certain child custody proceedings be subject to the same rules as those in a divorce proceeding. Requires all guardian ad litem fees be paid from a special fund.

NH *1997 N. H. Laws, Chap. 222*

Requires an expedited court hearing on contempt motions on certain custody, visitation and support issues.

NY *1996 N. Y. Laws, Chap. 85*

Requires the court to consider allegations of domestic violence before determining custody or visitation of a child.

ND *1997 N. D. Sess. Laws, Chap. 147*

Sec. 1 Prohibits unsupervised visitation or sole or joint custody of a child by a parent if certain domestic violence incidents occurred. Provides exceptions.

ND *1997 N. D. Sess. Laws, Chap. 149*

Sec. 1 Places time restrictions on motions for postjudgment custody modifications.

ND *1997 N. D. Sess. Laws, Chap. 151*

Sec. 1 Allows the court to award a noncustodial parent reasonable attorney fees in a child visitation dispute, if the court finds that the custodial parent denied visitation rights to the minor child.

OH *1996 Ohio Laws, HB 274*

Exempts a public children's services agency from providing visitation-related services unless ordered by a court under certain circumstances.

OH *1997 Ohio Laws, SHB 274*

Sec. 3109.051 Prohibits a court that grants child companionship or visitation rights with respect to a child from requiring supervision or other services related to that person's exercise of rights.

OK *1997 Okla. Sess. Laws, HB 1927*

Sec. 1 Requires courts to determine whether anyone seeking custody, guardianship or visitation has been required to register as a sex offender. Creates a rebuttable presumption against granting custody in these cases.

OK *1997 Okla. Sess. Laws, HB 2133*

Sec. 19 Specifies the factors be considered in determining the best interest of the child for purposes of deciding grandparental visitation rights.

OR *1997 Or. Laws, Chap. 479*

Authorizes legal grandparents to intervene in proceedings involving the custody, visitation, placement or guardianship of a child.

OR *1997 Or. Laws, Chap. 707*

Requires divorcing couples who have children to develop a parenting plan. Requires the court to establish an expedited parenting time enforcement procedure. Requires a $45 filing fee. Outlines court's responsibilities in determining parenting time and custody. Allows the court to grant visitation to grandparents, other relatives and close friends.

OR *1997 Or. Laws, Chap. 873*

Sec. 3 Authorizes the granting of orders regarding parental contact, visitation and child support in cases involving permanent guardianships.

PA *1996 Pa. Laws, Act 119*

Establishes a statewide registry to allow a parent involved in child custody to access information about criminal charges filed against the other parent. Increases the filing fee for a custody petition.

PA *1996 Pa. Laws, Act 124*

Sec. 6 Allows grandparents to petition the court for custody under certain conditions and when in the best interest of the child.

SD *1997 S. D. Sess. Laws, HB 1253*

Establishes a visitation enforcement program. Appropriates funds and creates a task force to implement it in the program.

TN *1997 Tenn. Pub. Acts, Chap. 208*

Clarifies that gender of the party seeking custody of a child does not constitute the party's fitness to the parent.

TN *1997 Tenn. Pub. Acts, Chap. 351*

Requires certain parental rights of custody or possession of child be incorporated in the divorce orders. Authorizes noncustodial parents access to certain school records and information.

TN *1997 Tenn. Pub. Acts, Chap. 557*

Authorizes pilot programs to resolve child custody and visitation disputes. Orders maintenance of certain parental obligations, sanctions noncomplying parents, outlines procedures for determining parenting plans, and details provisions of permanent plans to include dispute resolution and decision-making authority.

TX *1997 Tex. Gen. Laws, Chap. 9*

Requires children be returned as stated in the court order. Requires that the standard order provide for alternative possession times.

TX *1997 Tex. Gen. Laws, Chap. 51*

Expands the definition of "missing child" to include children taken in violation of a court order, thereby permitting law enforcement agencies to enter these children into federal and state missing person systems.

TX *1997 Tex. Gen. Laws, Chap. 180*

Specifies when a jury trial is entitled in a suit affecting the parent-child relationship and specifies that a court may not contradict a decision made by the jury. Clarifies when a jury verdict is for advisory purposes only.

TX *1997 Tex. Gen. Laws, Chap. 713*

Makes it a criminal penalty for a parent, managing conservator, or guardian to fail to appear at a hearing with a child in response to a court-issued summons.

TX *1997 Tex. Gen. Laws, Chap. 974*

Authorizes the court to order additional periods of possession or access to a child to compensate for denial of court-ordered possession or access for a parent.

TX *1997 Tex. Gen. Laws, Chap. 1220*

Adds "constitutional county court" to the list of courts having jurisdiction over protective orders and family violence.

TX *1997 Tex. Gen. Laws, Chap. 1397*

Requires the court to order reasonable access to a grandchild when certain criteria are met.

TX *1997 Tex. Gen. Laws, Chap. 1427*

Expands the "missing child" definition to include when the child is taken in violation of court-ordered custody.

UT *1997 Utah Laws, SB 33*

Sec. 1 Establishes presumptive child visitation guidelines for children under age 5. Explains criteria under which deviation from visitation guidelines may be ordered.

UT *1997 Utah Laws, SB 64*

Sec. 69 Allows a court to restrict or withhold a driver's professional, occupational and recreational license for individuals who violate visitation orders.

UT *1997 Utah Laws, SB 116*

Sec. 1 Extends the Expedited Visitation Enforcement Pilot Program. Requires the case to be assigned to a mediator if a parent files a motion that alleges violation of court-ordered visitation. Allows instances when the mediator may terminate mediation and transfer the case to court.

UT *1997 Utah Laws, HB 215*

Sec. 1 Prohibits a court from discriminating against a parent due to a disability in a custody award case. Allows a parent with a disability to rebut any evidence, presumption or inference if the court does so.

VA *1997 Va. Acts, Chap. 690*

Redefines "party with a legitimate interest in a child" for purposes of standing in juvenile and family court proceedings and in custody and visitation determinations. Excludes those whose parental rights have been terminated or whose interest in a child derives from a parent whose rights have been terminated, if the child has been legally adopted.

VA *1997 Va. Acts, Chap. 762*

Prohibits the denial of participation in school activities of a noncustodial parent unless a court order has been issued to the contrary.

WY *1997 Wyo. Sess. Laws, SF 68*
Sec. 1 Allows a grandparent to bring an action against anyone who has custody of the grandparent's minor grandchild to establish visitation rights if the court finds that visitation would be in the child's best interest and that the parents' rights are not substantially impaired.

WY *1997 Wyo. Sess. Laws, Chap. 172*
Allows evidence of failure by a parent to allow visitation to the other parent to be considered in determining custody.

Domestic Abuse and Miscellaneous

AR *1997 Ark. Acts, Act 1328*
Sec. 1 Requires the court to consider domestic violence in a custody or visitation case.

CA *1997 Cal. Stats., Chap. 1139*
Maintains the confidentiality of the address of a parent who is a domestic violence victim, in a petition to declare the child a dependent of the juvenile court.

CA *1996 Cal. Stats., Chap. 1139*
Requires a court to consider the removal of an offending parent to protect the child from future harm. Requires confidentiality of the address of a parent who is a victim of domestic violence. Prohibits visitation orders that jeopardize the safety of the child. Authorizes the court to keep the minor's address confidential. Allows electronic transmittal of certain restraining and protective orders under the jurisdiction of juvenile court.

Adds training on the effects of domestic violence on families and children to a statewide child welfare training program. Requires the Emergency Response Protocol to incorporate screening procedures to assess whether abuse of another family or household member is occurring.

CO *1997 Colo. Sess. Laws, Chap. 234*
Sec. 26-2-708 Requires department to conduct assessments of recipients, including screening for domestic violence. Requires counties to provide referrals for counseling and support service for victims of domestic violence.

CO *1997 Colo. Sess. Laws, SB 97-71*
Sec. 7 Permits the court to issue temporary protective custody or emergency protection orders under certain circumstances.

DE *Vol. 71 Del. Laws, Chap. 137*
Narrows the definition of "abuse." Allows the court to render a valid support, custody or visitation order using the same information in the abuse order, without having to modify the protective order. Allows the court to grant an extension for protection from an abuser.

GA *1997 Ga. Laws, SB 104*
Sec. 6 Requires department to screen and identify individuals who are victims of domestic violence. Requires department to refer recipients to counseling and support services. Allows department to waive program requirements for victims of domestic violence.

IN *1997 Ind. Acts, P. L. 1092*
Allows court to refer to mediation actions for dissolution of marriage, separation, child custody and visitation, support and other family law actions. Requires the mediation process be completed within 60 days. Specifies certain mediation procedures.

LA *1997 La. Acts, Act 732*

Defines "juvenile crime victim" and prohibits public disclosure of victim's name by public officials and law enforcement employees. Defines how information regarding the victim can be used by these public employees without public disclosure.

MD *1997 Md. Laws, Chap. 323*

Allows a court to require an educational seminar for divorcing parents in cases involving child support, custody or visitation issues about the effects of divorce on children and prohibits exceptions in cases of domestic violence.

MI *1996 Mich. Pub. Acts, Act 306*

Considers a man the natural father of a child born out of wedlock if both parents sign an acknowledgment of parentage.

MI *1996 Mich. Pub. Acts, Act 409*

Sec. 1 Transfers proceedings that pertain to adoption, name change, juvenile delinquency, and abuse and neglect from the probate court to the family court.

MN *1997 Minn. Laws, Chap. 239*

Sec. 6 Requires the judicial education program to cover the effect of domestic violence on children and the importance of considering these effects in custody and visitation decisions.

Sec. 40 Authorizes two pilot projects in which related family, probate and juvenile court matters, other than delinquency proceedings, are assigned to the same judge.

Sec. 1-27 Establishes a pilot program regarding domestic abuse perpetrated by a minor. Specifies definitions, court jurisdiction, procedures, relief, orders, service of petitions, assistance of law enforcement, violation of orders, notices and other matters.

Sec. 14 Requires a court in a custody proceeding to consider the existence of domestic violence.

NV *1997 Nev. Stats., Chap. 300*

Prohibits insurance companies from denying a claim or canceling a policy because of domestic violence. Requires the state to form a task force to study the effect of domestic violence on children and report to the Legislature in 1999.

NV *1997 Nev. Stats., Chap. 678*

Expands the conditions that a court may impose on a person released from custody after an arrest for domestic violence. Sets the amount of bail required under certain circumstances.

NH *1997 N. H. Laws, Chap. 173*

Establishes repayment procedures for the cost of guardians ad litem in marital cases.

ND *1997 N. D. Sess. Laws, Chap. 147*

Sec. 1 Prohibits unsupervised visitation or sole or joint custody of a child by a parent if certain domestic violence incidents occurred. Provides exceptions.

OK *1997 Okla. Sess. Laws, HB 1361*

Sec. 3 Adds child to the list of victims of domestic abuse.

OR *1997 Or. Laws, Chap. 475*

Requires each judicial district to provide mediation orientation sessions in all cases of child support, custody and visitation with certain exceptions.

TX *1997 Tex. Gen. Laws, Chap. 128*
Establishes a special needs trust when in the best interests of a minor.

TX *1997 Tex. Gen. Laws, Chap. 221*
Permits property being transferred under the uniform transfers to minor program and applies to transfers made after September 1, 1995.

TX *1997 Tex. Gen. Laws, Chap. 752*
Adds the neglect of a child as a justification for requesting permission to take emergency possession of a child. Authorizes that a child may be protected by a court order if it is determined that the child needs protection from family violence.

TX *1997 Tenn. Pub. Acts, Chap. 1193*
Establishes a process to clarify the relationship between a protective order and a divorce proceeding or a suit affecting the parent-child relationship. Establishes a procedure for change of address. Eliminates the presumption that appointment of parents as joint managing conservators is in the best interest of the child if there is a history of family violence.

UT *1997 Utah Laws, HB 92*
Sec. 3 Makes commission of domestic violence in the presence of a child a third-degree felony.

UT *1997 Utah Laws, HB 170*
Prohibits discrimination by life and disability insurers based on domestic violence or child abuse.

VT *1997 Vt. Acts, Act 53*
Allows child inheritance in cases of stepparent adoption if the child's former parent died.

WY *1997 Wyo. Sess. Laws, Chap. 172*
Allows evidence of failure by a parent to allow visitation to the other parent to be considered in determining custody.

GENERAL CHILDREN, YOUTH AND FAMILY

Family Support

AR *1997 Ark. Acts, Act 1132*

Sec. 38 Includes children from birth to age 3 in the early childhood Arkansas Better Chance Program, which includes Home Iinstruction Program for Preschool Youngsters services.

CO *1997 Colo. Sess. Laws, SB 97-174*

Requires that parent education, home visits, and special needs services be included in the pilot community consolidated child care program.

CT *1997 Conn. Acts, P. A. 259*

Sec. 34 Requires state-funded child care providers to help parents educate their children, set goals for them, assist their communication with providers, and support active parent involvement.

CT *1997 Conn. Acts, P. A. 259*

Sec. 7, 21 Requires that family resource centers be eligible school readiness providers. Requires child care or school readiness providers to use quality enhancement grants for health services, parent education, and community outreach programs. Requires the state and family resource center representatives to develop guidelines for family resource centers on and quality standards and identification of short- and long-term outcomes for participating families. Requires a longitudinal study for family resource centers. Requires that family resource centers be given a preference for school readiness grants.

CT *1997 Conn. Acts, P. A. 259*

Sec. 7, 10, 14 Requires supplementary quality enhancement grants to help school readiness or child care providers obtain national accreditation, child development associate scholarships, and training for mentor teachers under federal Head Start regulations. Requires that grants provide health services, parent education, and community outreach programs. Establishes priorities. Requires five regional accreditation projects with a priority for programs serving a minimum percentage of certain poor children. Requires a priority for a loan guarantee for accredited programs or those applying for accreditation.

CT *1997 Conn. Acts, Act 288*

Sec. 5 Designates the second Sunday in September as Family Day.

DE *1997 Fla. Laws, HB 2019*

Establishes family skills training for parents and caregivers.

DC *1996 D. C. Law 11-172*

Establishes an early intervention services program for children age 2 and under to meet their developmental needs. Authorizes the use of federal disabilities funds for the program. Requires a sliding fee scale for services.

HI *1997 Hawaii Sess. Act 30*

Changes Children's Day and Week in October to Children's and Youth's Day and Month.

IN *1997 Ind. Acts, SB 316*

Establishes the Family Support Council.

ME *1997 Me. Public Laws, Chap. 68*

Creates a task force to study strategies to support parents as children's first teachers. Requires the task force to design a comprehensive model of early childhood education and parent support, including child development information, referrals for parents, and opportunities for families to meet and share issues, catalog and review existing programs, and investigate ways to establish a statewide resource center. Encourages drawing on other states' programs and investigating potential funding sources. Requires a report with recommendations and legislation to strengthen parent support and early childhood education services.

ME *1997 Me. Public Laws, Chap. 530*

Sec. A-16 Requires the department to provide education and services to minimize teenage pregnancy and focus attention on male involvement.

ME *1997 Me. Public Laws, Chap. 534*

Clarifies which developmental delays qualify children from birth to age 6 for early intervention, special education and related services. Encourages collaboration between departments that deliver such services and school administrative units. Establishes a task force to study and make recommendations on the cost-effectiveness of the child development services system.

MD *1997 Md. Laws, Chap. 323*

Allows a court to require an educational seminar for divorcing parents involved in child support, custody and visitation about the effects of divorce on children. Provides for exceptions, sanctions, fee requirements and criteria for exceptions. Prohibits exceptions in cases of domestic violence or child abuse and neglect.

MD *1997 Md. Laws, Chap. 385/386*

Transfers responsibility for supervising and monitoring the program of intervention services for infants and toddlers from the Infant and Toddler Program in the Office for Children, Youth and Families to the Department of Education. Excludes certain positions in the transfer as well as including other positions.

MN *1997 Minn. Laws, Chap. 162*

Sec. 28 Establishes a school-based, comprehensive, community-linked grant program for adolescent parents age 21 or younger and their children under age 5. Allows various providers to apply for grants. States program goals, including better parent school and work success, child abuse and neglect reduction, welfare reduction and better health and social outcomes for parents and children. Requires programs to include flexible educational environments, attendance and scheduling, provide academic credit, collaboration with other services, parent education courses, a learning plan, accountability measures, professional development, assessments and recommendations. Requires a state evaluation to report the results to the Legislatures.

MN *1997 Minn. Laws, Chap. 162*

Sec. 3,5-6, 12-13 Adds a parental literacy component to learning readiness programs in early childhood programs. Emphasizes child development in early childhood family education programs and increases funding. Establishes the early childhood family education infant development grant awards to encourage child development. Specifies components grantees must address. Allows home visits.

Sec. 18 Makes appropriations for family support programs, including early childhood family education, learning readiness, Way to Grow and Head Start.

Sec. 16, 2 Requires state-funded early childhood and family support programs to link and to encourage family literacy and educational development. Authorizes family service collaborative pilot programs to serve neighborhoods with a range of educational, child care, health and crime prevention services.

MT *1997 Mont. Laws, Chap. 343*

Sec. 27 Authorizes the court to require divorcing parties to attend an educational program when in the best interest of the child. Sets fee.

NY *1996 N. Y. Laws, Chap. 259*
Requires the development of information brochures and statewide workshops for grandparents and other nonparent relatives caring for minor children. Requires such information to be made available to public schools and allows it to be disseminated to providers of other services. Authorizes possible types of information to be disseminated.

TN *1997 Tenn. Pub. Acts, Chap. 348*
Creates a pilot program based on North Carolina's "Touching the Lives of Children" cognitive development program.

TX *1997 Tex. Gen. Laws, Chap. 643*
Directs that voluntary, community-based early parenting skills programs be developed for expectant parents and parents with children under age 3. Suggests program directions and a sliding fee scale and requires cooperation with other services to avoid duplication.

TX *1997 Tex. Gen. Laws, Chap. 645*
Requires the court to order family counseling for specific cases with a mental health professional. Allows the court to appoint a qualified person if a mental health professional is not available.

TX *1997 Tex. Gen. Laws, Chap. 923*
Sec. 9 Establishes a lead agency to ensure that children under age 3 who have or are at risk of a developmental delay receive comprehensive early intervention services. Allows criminal history record information to be checked on prospective employees or volunteers who will have contact with children receiving early intervention services.

TX *1997 Tex. Gen. Laws, Chap. 1325*
Requires a court to order counseling on certain issues in a pending divorce suit that involves children under age 18.

VA *1997 Va. Acts, Chap. 394*
Requires that the parental involvement components for at-risk 4-year-old programs include activities to promote family literacy.

VA *1997 Va. Acts, Chap. 605*
Includes parenting responsibilities, options for conflict resolution and financial responsibilities within the topics that may be covered in an educational seminar for divorcing parties.

Human Services Reform

AR *1997 Ark. Acts, Act 1159*
Requires the establishment of an Unwed Birth and Teenage Pregnancy Prevention Program. Requires agency coordination for service delivery.

FL *1997 Fla. Laws, SB 1512*
Amends the responsibilities of the health and human service boards relating to district programs and services.

FL *1997 Fla. Laws, SB 1780*
Reorganizes and outlines changes in the internal structure and functions of the Department of Children and Family Services. Requires DCFS to submit reorganization status reports to the governor and the Legislature.

FL *1997 Fla. Laws, HB 2019*
Revises DCFS responsibilities and requirements to ensure effectiveness and accountability in its contract and service delivery system. Directs DCFS to make a report to the Legislature evaluating its progress.

IL *1997 Ill. Laws, Act 507*

Sec. 1-5 Creates the Department of Human Services by consolidating and centralizing all functions of the departments of Alcoholism and Substance Abuse, Mental Health and Developmental Disabilities, and Rehabilitation Services, as well as certain functions of the departments of Public Aid, Public Health, and Children and Family Services.

IN *1997 Ind. Acts, SB 224*

Creates the Family and Social Services Evaluation Committee. Directs the committee to examine the organization, delivery and administration of these services. Requires the committee to issue a report to the legislative council.

IA *1997 Iowa Acts, Chap. 202*

Sec. 15, 29, 31, 35 Appropriates more than $110 million in federal TANF and other funds to the departments of Human Services, Education and Workforce Development for various child and family services.

MD *1997 Md. Laws, Chap. 385/386*

Transfers responsibility for supervising and monitoring the program of intervention services for infants and toddlers from the Infant and Toddler Program in the Office for Children, Youth and Families to the Department of Education. Excludes certain positions in the transfer as well as including other positions.

MT *1997 Mont. Laws, SB 9*

Sec. 2-4 Attempts to facilitate legislative decisions concerning programs servicing children and families. Encourages inclusion of a standard set of program information and evaluation components in appropriation requests. Requires fiscal notes relating to bills for these programs to include an evaluation cost.

MT *1997 Mont. Laws, Chap. 173*

Expands the membership of the Interagency Coordinating Council for State Prevention Programs. Directs the council to develop a budget and benchmarks.

WA *1997 Wash. Laws, Chap. 386*

Sec. 21 Adds the legislative children's oversight committee and the office of family and children's ombudsman to the description of "juvenile justice or care agency."

WA *1997 Wash. Laws, Chap. 386*

Sec. 47 Requires state to prepare an annual quality assurance report on performance outcomes on the health of safety of children in the children's services system.

JUVENILE JUSTICE

Administration/Organization

AZ *1997 Ariz. Sess. Laws, Chap. 220*
Sec. 106 Establishes a 13-member study committee to review the processing of misdemeanor offenses and to make recommendations.

Sec. 91, 101 Creates state aid to detention fund administered by the supreme court. Creates a joint legislative committee on juvenile corrections to oversee a performance and financial audit of all agencies that provide services to delinquent and incorrigible juveniles.

AR *1997 Ark. Acts, Act 1171*
Sec. 1 Requires juvenile probation officers to complete specific certification requirements.

FL *1997 Fla. Laws, SB 278*
Allows the department of juvenile justice to employ a collection agency to receive, collect and manage delinquent fees imposed by certain juvenile sanctions.

GA *1997 Ga. Laws, HB 622*
Sec. 6 Changes the name Department of Children and Youth Services to Department of Juvenile Justice.

ID *1997 Idaho Sess. Laws, HB 190*
Sec. 1 Establishes that juveniles committed to and compensated by the Department of Juvenile Corrections for work completed are not state employees and are exempt from workers' compensation law provisions.

KS *1997 Kan. Sess. Laws, Chap. 156*
Sec. 94 Establishes an advisory group on juvenile justice and delinquency prevention to review grant applications and make recommendations.

MN *1997 Minn. Laws, Chap. 239*
Sec. 12 Requires the bureau of criminal apprehension to administer and maintain a computerized gang investigative data system.

MS *1997 Miss. Laws, SB 2510*
Sec. 1 Requires the state to use a uniform youth court case tracking system.

NE *1997 Neb. Laws, L. B. 882*
Sec. 9 Transfers authority over the Secure Youth Confinement Facility from the Office of Juvenile Services to the Department of Correctional Services.

NV *1997 Nev. Stats., File No. 152*
Requires the Legislature to conduct an interim study of the juvenile justice system.

NV *1997 Nev. Stats., Chap. 528*
Requires the state to establish a program to compile and analyze data on adjudicated juveniles who commit sexual delinquent acts. Requires a report to the Legislature.

NM *1997 N. M. Laws, Chap. 110*

Sec. 1 Describes required qualifications for correctional officers.

TX *1997 Tex. Gen. Laws, Chap. 318*

Extends the Texas Juvenile Probation Commission into the year 2009. Requires probation departments to use standard assessment tools, collection and reporting of certain information, performance measures, and case management standards. Requires use of certain contracting practices.

TX *1997 Tex. Gen. Laws, Chap. 319*

Extends the Youth Commission into the year 2009. Requires sound performance-based contracting standards for residential client services and a program to monitor these contracts.

TX *1997 Tex. Gen. Laws, Chap. 320*

Authorizes the youth commission to obtain background checks of prospective employees and contractors.

UT *1997 Utah Laws, HB 69*

Sec. 1, 2 Amends the Serious Habitual Offender Comprehensive Action Program (SHOCAP) to establish a database to track youthful offenders. Makes SHOCAP a pilot program.

UT *1997 Utah Laws, HB 177*

Sec. 1 Clarifies the authority and duty of youth correctional officers.

VT *1997 Vt. Acts, Act 33*

Requires the state to develop and administer a comprehensive program for delinquent children.

WY *1997 Wyo. Sess. Laws, SF 63*

Sec. 1 Creates a state advisory council on juvenile justice and delinquency prevention.

Disposition/Penalties/Offenses

AZ *1997 Ariz. Sess. Laws, Chap. 220*

Sec. 22-24 Prohibits violent juvenile offenders, chronic juvenile offenders and juveniles charged with DUI from diversion eligibility. Grants the county attorney sole discretion regarding diversion decisions and whether community-based alternatives may be permitted. Transfers diversion referral authority from juvenile probation officers to the county attorney.

Sec. 32 Excludes juveniles who have committed dangerous offenses from the general rule that juvenile probation lasts for no more than one year. Prohibits the Department of Juvenile Corrections from conditionally releasing juveniles from secure care due to facility overcapacity.

Sec. 32 Increases the fee imposed on parents for supervising their incarcerated children. Requires that a juvenile's parents or guardian(s) be liable for victim restitution up to civil liability limits.

Sec. 36 Requires a minimum 24-hour incarceration for a juvenile's first DUI offense.

Sec. 75 Sets criteria for juveniles to be eligible for and receive dual adult/juvenile probation. Permits the court to order a juvenile who is on probation to be incarcerated for up to a year in a juvenile detention facility, county jail or combination of both until the juvenile reaches age 18.

AZ *1997 Ariz. Sess. Laws, Chap. 222*

Sec. 22 Allows a court to order a delinquent or incorrigible child to certain care, including the parents, a probation department, a private agency or institution, juvenile corrections, maternal or paternal relatives. Permits the court to order a delinquent child to make restitution to the victim of the offense or to assess a monetary penalty. Establishes diversion procedures.

AR *1997 Ark. Acts, Act 710*

Sec. 1 Establishes graduated community-based sanctions within the division of youth services.

Sec. 3 Permits the youth services division to impose any community-based sanction on a juvenile in its custody or who is in aftercare.

AR *1997 Ark. Acts, Act 1118*

Sec. 4 Authorizes the court to order electronic monitoring for youth in residential detention. Allows the court to fine a juvenile and a parent and order them to participate in community service.

AR *1997 Ark. Acts, Act 1229*

Sec. 1 Makes it a crime to escape from either a detention or youth services facility.

CO *1997 Colo. Sess. Laws, Chap. 263*

Sec. 2, 5 Authorizes the revocation of the driver's license of a juvenile delinquent who defaces public or private property.

CO *1997 Colo. Sess. Laws, S. B. 97-50*

Sec. 1 Implements the regimented juvenile training program guidelines, which exclude lower-risk juveniles who would otherwise be sentenced to probation. Takes into account the juvenile's offense and criminal history, and previous efforts to intervene with the juvenile.

DE *Vol. 71 Del. Laws, SB 25*

Sec. 1, 2 Authorizes the court to transfer to the Young Criminal Offenders Program adjudicated youths, age 16 and older, children confined in a juvenile correctional facility, or children sentenced as adults.

DC *1997 D. C. Law Act 199*

Creates a noncriminal, reformative and protective alternative to adjudication for juveniles charged with certain nonviolent offenses. Authorizes the court to hold parents and guardians in contempt for not participating in a court-ordered proceeding or program.

FL *1997 Fla. Laws, Chap. 97-238*

Sec. 41 Directs the court to impose either adult or juvenile sanctions on a child transferred to adult court.

FL *1997 Fla. Laws, Chap. 97-238*

Sec. 23 Allows the court to continue to detain a child if he or she allegedly violated the conditions of community control or aftercare supervision, but only in a consequence unit. Requires the child to be placed on home detention with electronic monitoring if a unit is unavailable.

FL *1997 Fla. Laws, Chap. 97-238*

Sec. 95 Allows the court to impose an alternative sanction or place a child in a secure facility for contempt of court.

GA *1997 Ga. Laws, HB 100*

Sec. 1 Prohibits minors from giving permission to enter his or her parent's property under certain circumstances.

GA *1997 Ga. Laws, HB 193*

Sec. 1 Makes parents or guardians liable for costs resulting from their child's willful or malicious acts.

HI *1997 Hawaii Sess. Act 318*

Sec. 1 Gives the Department of Public Safety custody of a juvenile in certain situations when the term of confinement extends beyond the juvenile's 18th birthday.

ID *1997 Idaho Sess. Laws, HB 168*

Sec. 1 Requires the Department of Juvenile Corrections to make all decisions regarding juvenile offender placement, once the court commits the juvenile to the department.

ID *1997 Idaho Sess. Laws, HB 169*

Permits the court to sentence a juvenile to juvenile corrections department up to his or her 21st birthday unless extended jurisdiction is necessary.

ID *1997 Idaho Sess. Laws, HB 188*

Sec. 1 Expands the definition of failure to supervise a child to include a child who commits a crime for which she or he is tried as an adult, or for which jurisdiction is subject to waiver.

ID *1997 Idaho Sess. Laws, SB 1106*

Sec. 1 Authorizes the court to sentence a juvenile to detention for not more than 30 days for a status offense.

IL *1996 Ill. Laws, P. A. 89-462*

Sec. 255 Excludes a minor who at the time of an offense was at least 13 years old and who is charged with first degree murder committed during the course of either criminal sexual assault, aggravated criminal sexual assault or aggravated kidnapping from the definition of delinquent.

Sec. 280 Allows the court to sentence a person to life imprisonment when the death penalty is not imposed if the defendant has not attained age 17 at the time of the commission of the murder, and is found guilty of murdering a person under age 12 during aggravated criminal sexual assault, criminal sexual assault or aggravated kidnapping.

IL *1997 Ill. Laws, P. A. 89-631*

Sec. 5 Makes it a crime for a street gang member to commit intimidation to further organize gang activities.

IL *1997 Ill. Laws, P. A. 89-689*

Sec. 80 Requires that a delinquent minor may be placed on probation or conditional discharge and in detention for a period that does not exceed an incarceration period permitted for adults found guilty of the same offense before the minor attains age 21.

IN *1997 Ind. Acts, P. L. SEA 39*

Makes battery against employees of a juvenile detention facility a crime.

IA *1997 Iowa Acts, Chap. 51*

Sec. 1 Adds to the criteria to determine whether a delinquent child may be placed in the state training school or other facility and allows the court to consider such placement for a child who previously was placed in a supervised community treatment program.

IA *1997 Iowa Acts, Chap. 119*

Reaffirms criminal street gangs weapons and stolen weapons offenses.

KS *1997 Kan. Sess. Laws, Chap. 156*

Sec. 63 Allows the court to commit a juvenile offender to a sanctions house for no longer than seven days. Permits the court to commit a juvenile offender between the ages of 18 and 23 to the county jail for no longer than seven days and only when the offender has violated probation.

LA *1997 La. Acts, Act 1137*

Defines forcible rape as an offense under which a juvenile can be subject to a transfer hearing and subsequently tried as an adult.

ME *1997 Me. Public Laws, Chap. 421*

Sec. B-1, 2 Allows the court to modify any requirement imposed by a reparation board. Authorizes the court to require juvenile offenders to work with a community reparation board as a condition of probation.

MD *1997 Md. Laws, Chap. 311*

Allows the court to order a child, the child's parent, or both to pay restitution up to $10,000 for all acts arising out of a single incident. Prohibits a court from entering a restitution judgment against a parent unless she or he has been given an opportunity to be heard. Allows the court to hold the parent in contempt of court if the parent intentionally becomes impoverished to avoid payment.

MI *1996 Mich. Pub. Acts, Act 243*

Sec. 1 Allows court placement in a juvenile boot camp program. Requires the juvenile to complete additional intensive supervised community reintegration after completing boot camp.

MI *1996 Mich. Pub. Acts, Act 244*

Sec. 1 Allows the court to delay imposing an imprisonment sentence by entering a delay disposition and placing the juvenile on probation.

MI *1996 Mich. Pub. Acts, Act 245*

Sec. 1 Expands the list of offenses for which a juvenile may be retained in juvenile commitment until age 21.

MI *1996 Mich. Pub. Acts, Act 248*

Sec. 1 Allows the court to sentence a juvenile, who is convicted of manufacturing, delivering, creating or possessing with intent to deliver certain narcotics or cocaine, to imprisonment for not less than 25 years.

MI *1996 Mich. Pub. Acts 250*

Sec. 1 Reduces from 15 to 14 the age of a person who may be committed as a state ward by a court of general criminal jurisdiction.

MN *1997 Minn. Laws, Chap. 239*

Sec. 14 Permits courts to place delinquent juveniles within the state for supervision.

MN *1996 Mich. Pub. Acts, Act 248*

Sec. 1 Requires the court to give greater weight to the seriousness of the alleged offense and the juvenile's prior delinquency record when determining whether to sentence a juvenile as an adult.

MS *1997 Miss. Laws, HB 1281*

Sec. 2 Authorizes placement in the juvenile work program. Requires juveniles to perform between 24 hours and 120 hours of community service. Makes parents responsible to ensure that their child reports to work.

MT *1997 Mont. Laws, HB 100*

Permits the revocation and confiscation of a youth's driver's license if a youth is adjudicated delinquent or in need of supervision or intervention.

MT *1997 Mont. Laws, Chap. 285*

Creates the Montana Street Terrorism Enforcement and Prevention Act. Defines "criminal street gang" and "pattern of street gang activity." Establishes deterrence and punishment of criminal street gang activity related offenses. Adds coercion to a list of offenses by which a juvenile can be transferred to adult court.

MT *1997 Mont. Laws, Chap. 550*

Sec. 26 Outlines the array of placement and disposition options permitted for juveniles when a consent decree has been entered.

Sec. 33 Outlines procedures for probation and placement for juveniles when a youth in need of intervention has violated a consent decree.

NV *1997 Nev. Stats., Chap. 15*

Sec. 5 Increases the number of hours of community service for an adjudicated delinquent child who unlawfully possesses a firearm.

NV *1997 Nev. Stats., Chap. 17*

Requires a child, parent or guardian to make restitution for damaged or destroyed property. Requires the court to order the child or parent to participate in community service in situations of financial hardship.

NV *1997 Nev. Stats., Chap. 120*

Raises from 17 to 18 years the age of a child for which the court may order the child's relatives to attend counseling.

NV *1997 Nev. Stats., Chap. 159*

Authorizes a juvenile court to require a first time, nonviolent juvenile offender to participate in a recreational program. Permits the court to require the child or parent make a payment or to perform community service.

NV *1997 Nev. Stats., Chap. 224*

Clarifies that a victim may be eligible for compensation for certain crimes committed by a minor.

NV *1997 Nev. Stats., Chap. 353*

Enhances the penalty for certain offenses committed on school property.

NJ *1997 N. J. Laws, Chap. 55*

Expands participation age in the stabilization and reintegration youthful offender program to offenders in their last year of a mandatory sentence and to offenders convicted of a nonviolent second-degree offense.

NY *1996 N. Y. Laws, Chap. 647*

Defines gang assault.

OK *1997 Okla. Sess. Laws, HB 1213*

Makes soliciting gang membership by a minor and encouraging a minor to participate in certain drug related crimes schedule E offenses for truth-in-sentencing purposes.

TN *1997 Tenn. Pub. Acts, Chap. 465*

Outlines what a court can order a parent to do when his or her child commits an unruly or delinquent act. Allows the court to compel participation in juvenile's program, treatment, community service, and to fine or incarcerate the parent or legal guardian if he or she refuses or fails to comply.

TN *1997 Tenn. Pub. Acts, Chap. 479*

Allows a court to determine that a juvenile is in need of treatment or rehabilitation. Authorizes dismissal when need for treatment cannot be established.

TN *1997 Tenn. Pub. Acts, Chap. 525*

Outlines how a victim or restitution recipient may convert the unpaid amount owed by the juvenile offender into a civil judgment that will be enforceable for 10 years.

TX *1997 Tex. Gen. Laws, Chap. 40*

Specifies parental liability of up to $25,000 plus court costs and attorney's fees for each occurrence of damage caused by a child in an inn or hotel.

TX *1997 Tex. Gen. Laws, Chap. 368*

Expands the definition of a victim to include anyone who suffers pecuniary loss, personal injury or harm as a result of the delinquent conduct of a child.

TX *1997 Tex. Gen. Laws, Chap. 560*

Permits driver's license revocation for juveniles who fail to appear in court or pay a fine in connection with a misdemeanor.

TX *1997 Tex. Gen. Laws, Chap. 669*

Requires two-year minimum probation for juvenile offenders convicted of certain felony sexual offenses.

TX *1997 Tex. Gen. Laws, Chap. 783*

Increases from $15,000 to $25,000 the limit on damages for which parents are liable as a result of their child's conduct.

TX *1997 Tex. Gen. Laws, Chap. 822*

Adds to the number of traffic offenses for which a youth under 15 can be prosecuted.

TX *1997 Tex. Gen. Laws, Chap. 922*

Extends from 10 to 15 days limit on subsequent detention orders in counties without certified juvenile detention facilities.

TX *1997 Tex. Gen. Laws, Chap. 1086*

Adds arson, if bodily injury or death results, to determinate sentence offenses. Expands admissibility of certain oral and written statements.

TX *1997 Tex. Gen. Laws, Chap. 1358*

Permits a court to order community service for possessing, manufacturing, distributing or selling a fake ID or driver's license.

TX *1997 Tex. Gen. Laws, Chap. 1394*

Requires the probation commission to adopt implementation rules of progressive sanction guidelines.

UT *1997 Utah Laws, SB 25*

Sec. 2 Permits consideration of juvenile sentencing guidelines in preparation of a dispositional report and recommendation in a delinquency action.

UT *1997 Utah Laws, SB 89*

Sec. 1 Authorizes the juvenile court to place a child who has committed a violent crime in short-term detention or an alternative to detention.

VA *1997 Va. Acts, Chap. 749*

Makes escape from a secure Department of Juvenile Justice facility punishable in the same way as escape from an adult facility.

VA *1997 Va. Acts, 862*
Permits an intake officer to proceed informally on a CHINS/CHINSUP or delinquent juvenile if there was no violent felony or previous adjudication involved.

WA *1997 Wash. Laws, Chap. 338*
Sec. 5 Removes the requirement that juvenile convictions for sex offenses and serious violent offenses must be included on the offender score of the sentencing grid.

Sec. 8 Defines intensive supervision program; offers individualized treatment and transitional services, and emphasizes community involvement and support to reduce the likelihood that a juvenile will commit further offenses.

Sec. 21 Makes a juvenile eligible for deferred disposition under certain circumstances.

Sec. 32 Allows the state to sentence a juvenile up to 36 months of parole following release, in the interests of public safety or to meet the juvenile's ongoing needs.

WY *1997 Wyo. Sess. Laws, SF 61*
Sec. 1 Establishes progressive sanctions guidelines for children adjudicated delinquent and establishes five sanction levels tied to the seriousness of the offense committed.

WY *1997 Wyo. Sess. Laws, SF 62*
Sec. 1 Allows the court to require a minor to complete a juvenile community service program as a condition of probation or suspension of sentence.

WY *1997 Wyo. Sess. Laws, HB 145*
Sec. 1 Excludes from the definition of status offense violations of municipal ordinances that are similar to underage drinking statutes to allow sentencing a juvenile to detention facilities if the ordinance provides for imprisonment.

Financing

AZ *1997 Ariz. Sess. Laws, Chap. 220*
Sec. 32 Increases the fee imposed on parents for supervising their incarcerated children.

AR *1997 Ark. Acts, Act 321*
Sec. 1 Allows the Administrative Office of the Courts to reimburse counties for juvenile officers' previous year salary.

CA *1996 Cal. Stats., Chap. 6*
Requires each county to pay the state $150 per month for the time a person is committed to the Department of Youth Authority.

CO *1997 Colo. Sess. Laws, SB 218*
Sec. 5 Eliminates certain limitations on the liability of parents for the cost of caring for a juvenile who has engaged in delinquent activity.

FL *1997 Fla. Laws, SB 278*
Allows the Department of Juvenile Justice to employ a collection agency for the purpose of receiving, collecting and managing delinquent fees imposed by certain juvenile sanctions.

FL *1997 Fla. Laws, Chap. 97-238*

Sec. 11 Makes a parent or guardian liable for legal fees and costs of the criminal prosecution of his or her child as an adult.

GA *1997 Ga. Laws, SB 132*

Sec. 6 (b) Allows the juvenile court to order a delinquent or unruly child to pay certain supervision fees.

ID *1997 Idaho Sess. Laws, HB 346*

Sec. 4, 5 Appropriates a portion of cigarette and tobacco taxes to the public school income fund for substance abuse programs to juvenile corrections for drug testing and the counties for juvenile probation services.

IL *1997 Ill. Laws, P. A. 90-157*

Requires parents of delinquent minors in detention or shelter care to pay up to $10 per day for their room and board.

IN *1997 Ind. Acts, SEA 400*

Sec. 9 Authorizes the juvenile court to order the county office to pay the cost of services before the child's admission to the Indiana Soldiers' and Sailors' Children's Home. Allows the county to require the child's parent or guardian to reimburse the county.

NJ *1997 N. J. Laws, Chap. 81*

Deems boot camps as education programs, making them eligible for funding from state lottery proceeds.

TX *1997 Tex. Gen. Laws, Chap. 318*

Requires the state to maximize use of Medicaid to fund health care costs of youth in the juvenile justice system.

TX *1997 Tex. Gen. Laws, Chap. 319*

Requires use of Medicaid, whenever applicable, to reduce health care costs in caring for juveniles in youth commission custody.

TX *1997 Tex. Gen. Laws, Chap. 1093*

Permits the youth commission to sell or license the use of a treatment program it has developed. Requires proceeds from such transaction to be placed in the fund that financed the program development.

VA *1997 Va. Acts, Chap. 639*

Requires proceeds from juvenile correctional facility work programs be deposited into a special fund to support such work programs.

WA *1997 Wash. Laws, Chap. 338*

Sec. 61, 62 Authorizes local governments, in order to receive certain funds, to submit proposals that establish community juvenile accountability programs within their communities. Allows the state to make grants to local governments for community-based programs for juvenile offenders.

Sec. 65 Requires the Washington State Institute for Public Policy to evaluate the costs and benefits of certain programs to measure whether they cost-effectively reduce recidivism and crime rates in Washington.

WY *1997 Wyo. Sess. Laws, SF 62*

Sec. 1 Requires the state to administer a community juvenile services block grant program to assist communities to develop and maintain juvenile services.

WY *1997 Wyo. Sess. Laws, HB 136*

Sec. 1 Allows the court to order the parents of a child placed on probation to pay for probation expenses.

Institutions/Programs/Services

AZ *1997 Ariz. Sess. Laws, Chap. 220*

Sec. 18 Requires sight and sound separation from adults for juveniles detained in adult jails, prisons and lockups. Permits juvenile detention in adult facilities only after a minor is formally charged as an adult.

Sec. 32 Prohibits the Department of Juvenile Corrections from conditionally releasing juveniles from secure care due to facility overcapacity. Excludes juveniles who have committed dangerous offenses from the general rule that juvenile probation lasts for no more than one year.

Sec. 75 Permits the court to order a juvenile who is on probation to be incarcerated for up to a year in a juvenile detention facility, county jail or combination of both until the juvenile reaches age 18.

Sec. 105 Appropriates funds to the street gang enforcement revolving fund and to the detention services fund for construction of new juvenile facility beds and to audit state agencies that provide services to juvenile delinquents and incorrigibles.

AR *1997 Ark. Acts, Act 710*

Sec. 1 Establishes graduated community-based sanctions within the Division of Youth Services.

Sec. 3 Permits the youth services division to impose any community-based sanction on a juvenile in its custody or who is in aftercare.

AR *1997 Ark. Acts, Act 1118*

Sec. 5 Permits a juvenile to be held in a juvenile detention facility under certain circumstances. Allows an adjudicated FINS to be held in detention when the juvenile court finds that the juvenile violated a court order.

AR *1997 Ark. Acts, Act 1229*

Sec. 1 Makes it a crime to escape from either a detention or youth services facility.

AR *1997 Ark. Acts, Act 1360*

Sec. 99 Outlines conditions for housing delinquents, who have committed certain felonies, in community-based residential programs located within a municipality. Directs the state to create a system for responding to resident questions or complaints.

CA *1996 Cal. Stats., Chap. 1049*

Expands the repeat offender prevention project.

CO *1997 Colo. Sess. Laws, SB 97-50*

Sec. 1 Implements the regimented juvenile training program guidelines, which exclude lower-risk juveniles who would otherwise be sentenced to probation. Takes into account the juvenile's offense, criminal history and previous efforts to intervene with the juvenile.

CO *1997 Colo. Sess. Laws, HB 97-1318*

Sec. 1 Authorizes the state to contract for construction of a residential juvenile facility to house juveniles who are in the state's custody.

CT *1997 Conn. Acts, P. A. 130*

Requires the state to establish standard leave policies for juvenile offenders. Gives guidelines for such policies, including a 60-day stay for evaluation and other eligibility requirements.

FL *1997 Fla. Laws, SB 278*

Allows a CHINS, runaway or ungovernable youth to be placed in a 90-day staff secure facility under certain conditions. Permits parents to file a petition to have the court declare a youth CHINS.

FL *1997 Fla. Laws, Chap. 97-238*

Sec. 15 Allows a law enforcement officer to take a child into custody if the officer believes the child is violating conditions of his or her community control, furlough or aftercare supervision.

Sec. 123 Requires the Juvenile Justice Advisory Board and the Department of Juvenile Justice to develop an agreement and to conduct research to determine which aftercare program models are most effective.

GA *1997 Ga. Laws, Chap. 207*

Sec. 1 Repeals the law that allows the transfer of at-risk, unruly or delinquent children to the Department of Corrections and permits the transfer of these children to incarceration in a special institution.

HI *1997 Hawaii Sess. Act 325*

Requires prior court approval for furlough, parole or discharge of a committed minor in certain cases.

HI *1997 Hawaii Sess. Act 325*

Sec. 6 Appropriates funds to increase bed space capacity in the Hawaii Youth Correctional Facilities system in a two-year pilot program on the island of Kauai.

ID *1997 Idaho Sess. Laws, HB 1*

Sec. 1 Includes a nonsecure facility in reference to juvenile escapes.

ID *1997 Idaho Sess. Laws, HB 42*

Sec. 1 Permits holding juveniles who have been charged formally as an adult in a county jail or other adult prison unless the court orders otherwise.

ID *1997 Idaho Sess. Laws, HB 190*

Sec. 1 Establishes that juveniles committed to and compensated by the department of juvenile corrections for work completed are not state employees and are exempt from workers' compensation law provisions.

ID *1997 Idaho Sess. Laws, SB 1106*

Sec. 1 Authorizes the court to sentence a juvenile to detention for not more than 30 days for a juvenile status offense.

IL *1996 Ill. Laws, P. A. 89-656*

Sec. 25 Requires county jails to keep minors age 12 or older separate from adult inmates.

IL *1997 Ill. Laws, P. A. 90-256*

Allows Cook County to set up a juvenile impact incarceration program.

IL *1997 Ill. Laws, P. A. 90-79*

Allows the state to establish a pilot program for paroled juvenile offenders. Outlines services and eligibility requirements. Allows the state to contract with certain community-based providers for specified services. Requires an evaluation report.

IN *1997 Ind. Acts, SEA 39*

Sec. 1 Makes battery against juvenile detention facility employees a crime.

IN *1997 Ind. Acts, SEA 400*

Sec. 1 Requires the state to provide probation departments with training and technical assistance related to special education services and programs for CHINS. Allows probation department training to be provided jointly with training for child welfare caseworkers related to the same subject.

Sec. 7 Prohibits a child who requires residential placement in a secure facility, a juvenile detention facility, or a detention center for the child's or others' safety from placement at the Indiana Soldiers' and Sailors' Children's Home.

Sec. 13 Requires the probation department for the juvenile court to maintain information related to delinquent children and CHINS who receive juvenile law services.

Sec. 24 Requires each county to develop a community services plan for early intervention to provide services targeted to CHINS or at-risk CHINS. Requires each county to establish a team to develop a plan. Requires the juvenile court and local child protection services to consider and use any available services described in an early intervention plan.

IN *1997 Ind. Acts, P. L. SEA 39*

Makes battery against employees of a juvenile detention facility a crime.

IA *1997 Iowa Acts, Chap. 51*

Sec. 1 Adds to the criteria to determine whether a delinquent child may be placed in the state training school or other facility and allows the court to consider such placement for a child who previously was placed in a supervised community treatment program.

IA *1997 Iowa Acts, Chap. 126*

Sec. 12 Allows a peace officer to restrain any juvenile who presents a risk of injury or is taken into custody for a violent act against a person.

IA *1997 Iowa Acts, Chap. 126*

Sec. 9 Expands the multi-agency database that tracks the progress of juveniles by including a resource guide that outlines successful programs and practices to promote positive youth development and assist delinquent and other at-risk youth.

KS *1997 Kan. Sess. Laws, Chap. 156*

Sec. 63 Allows the court to commit a juvenile offender to a sanctions house for no longer than seven days. Permits the court to commit a juvenile offender between the ages of 18 and 23 to the county jail for no longer than seven days and only when the offender has violated probation.

ME *1997 Me. Public Laws, Chap. 421*

Sec. A-3 Allows a juvenile caseworker to establish a community resolution team after completing the preliminary investigation of a juvenile. Requires an annual report to the Legislature on the progress of community reparation boards. Limits restorative justice program to a pilot program that does not extend past May 1, 1999.

MI *1996 Mich. Pub. Acts, Act 243*

Sec. 1 Allows court placement in a juvenile boot camp program. Requires the juvenile to complete additional intensive supervised community reintegration after completing boot camp.

MI *1996 Mich. Pub. Acts, Act 482*

Sec. 1 Requires a person who has responsibility for custody of a juvenile at a facility or residence, other than the juvenile's or his or her parents' home, to notify certain individuals of the juvenile's escape.

MI *1996 Mich. Pub. Acts, Act 483*

Designates which police or sheriff's agency must be contacted in the event of a juvenile's escape from certain facilities or residences.

MI *1996 Mich. Pub. Acts, Act 511*

Sec. 1 Allows DNA samples, for certain juvenile offenders, prior to community placement or discharge.

MI *1997 Mich. Pub. Acts, Act 1028*

Sec. 115 Requires immediate notification of a juvenile's escape from a detention facility to the appropriate law enforcement officials.

MN *1997 Minn. Laws, Chap. 239*

Sec. 8, 12 Requires the criminal gang council to develop a strategy to eliminate harm caused by criminal gangs. Requires the council to oversee the organization and implementation of a statewide criminal gang strike force. Requires the bureau of criminal apprehension to administer and maintain a computerized gang investigative data system.

Sec. 21 Requires the state fire marshal to establish a statewide juvenile fire setter intervention network to assist personnel, schools, law enforcement and mental health professionals.

Sec. 46 Requires the corrections commissioner to move the juvenile sex offender treatment program to the correctional facility-Red Wing by January 1, 1999.

MN *1997 Minn. Laws, S. F. 1908*

Sec. 30 Authorizes a pilot program to create juvenile assessment centers for children accused of committing delinquent acts, status offenders or children who allegedly were victims of abuse or neglect.

MS *1997 Miss. Laws, HB 1244*

Sec. 1 Requires the Division of Youth Services to establish, maintain and operate an Adolescent Offender Program, which may include non-Medicaid eligible juveniles. Allows the division to establish at least 12 sites at various locations.

MT *1997 Mont. Laws, Chap. 550*

Sec. 68 Defines rights and conditions for appealing a decision regarding a juvenile parole violation.

MT *1997 Mont. Laws, Chap. 286*

Excludes weekends and holidays from the 96-hour period of detention for youth in a short-term center or facility.

NE *1997 Neb. Laws, L. B. 882*

Sec. 8 Allows the state to issue a warrant for the arrest of a juvenile who has left a facility or program. Requires an officer who arrests a juvenile on such a warrant to detain the juvenile until the state can take custody of the juvenile.

NV *1997 Nev. Stats., Chap. 338*

Appropriates $436,046 to the Division of Child and Family Services of the Department of Human Resources for equipment and supplies for the Southern Nevada Child and Adolescent Services Juvenile Treatment Facility.

NV *1997 Nev. Stats., Chap. 528*

Sec. 4, 5 Requires the state to establish a program to analyze the recidivism of juvenile sex offenders after they become adults and the effectiveness of juvenile sex offender treatment programs. Requires the state to collect certain information about a child adjudicated delinquent for an act that, if committed by an adult, would be a sexual offense.

NV *1997 Nev. Stats., Chap. 579*

Appropriates money for a juvenile detention facility and certain child facilities.

NH *1997 N. H. Laws, Chap. 198*

Clarifies the existing alternative placement for juveniles ordered to the custody of the Department of Youth Development Services.

NJ *1997 N. J. Laws, Chap. 55*

Expands participation age in the stabilization and reintegration youthful offender program to offenders in their last year of a mandatory sentence and to offenders convicted of a nonviolent second-degree offense.

NJ *1996 N. J. Laws, Chap. 57*

Appropriates construction funds for a 48-bed housing unit and gym for juvenile offenders.

NJ *1997 N. J. Laws, Chap. 81*

Permits counties to create juvenile boot camps. Establishes terms of stay, aftercare guidelines and other components. Denies readmission to those who fail to comply with and finish the boot camp. Deems boot camps as education programs, making them eligible for funding from state lottery proceeds.

NM *1997 N. M. Laws, Chap. 44*

Sec. 1 Prohibits contraband in a juvenile justice facility and establishes penalties.

OH *1997 Ohio Laws, HB 265*

Sec. 2151.312 (B) Allows an adjudicated or alleged delinquent child to be held in a detention home, center or other entity that is under the direction or is approved by, the court.

Sec. 2151.312 (C) Prohibits holding in certain facilities an allegedly or adjudicated neglected child, or an abused, dependent or unruly child, or a juvenile traffic offender.

OK *1997 Okla. Sess. Laws, HB 1632*

Implements the state's youthful offender program. Defines which offenses make a juvenile or young adult eligible for youth offender services. Transfers a youthful offender to the adult system if she or he commits another offense or fails to complete an approved treatment plan. Adds 96 secure detention beds with an appropriation to the Office of Juvenile Affairs. Defines offenses and penalties for assaulting an Office of Juvenile Affairs employee.

RI *1997 R. I. Pub. Laws, Chap. 217*

Requires background and criminal history checks of "youth serving agency" workers prior to employment. Defines "youth serving agency" as a facility or program that operates for more than two hours per day at least one day a week, provides programs and activities for children, and employs people who have supervisory or disciplinary authority over children.

SC *1997 S. C. Acts, Act 3862AC*

Sec. 1 Establishes the Youth Industries Program to employ juveniles committed to the state Allows a juvenile to participate in the program only on a voluntary basis and only after he or she has been informed of the employment conditions. Makes it unlawful to sell or offer to sell goods manufactured by juvenile offenders in this or another state.

TX *1997 Tex. Gen. Laws, Chap. 319*
Extends the Youth Commission into the year 2009. Requires sound performance-based contracting standards for residential client services and a program to monitor these contracts. Requires use of Medicaid, whenever applicable, to reduce health care costs in caring for juveniles in youth commission custody.

TX *1997 Tex. Gen. Laws, Chap. 669*
Requires counseling sessions and a polygraph to evaluate treatment progress as a condition of probation if the juvenile offender is convicted of a sexual offense against another child. Requires similar tests for release. Requires parental attendance in instructional sessions and participation in monthly treatment groups during the period in which the child attends counseling. Requires two-year minimum probation for juvenile offenders convicted of certain felony sexual offenses.

TX *1997 Tex. Gen. Laws, Chap. 772*
Requires every county juvenile judge to personally inspect each pre- and post-adjudication and juvenile correctional facility in the county. Requires such facilities to meet certain minimum standards.

TX *1997 Tex. Gen. Laws, Chap. 922*
Extends limit on subsequent detention orders from 10 days to 15 days in counties without certified juvenile detention facilities.

TX *1997 Tex. Gen. Laws, Chap. 986*
Requires the probation commission to operate a statewide registry for all juvenile pre- and post-adjudication secure detention and correctional facilities, except those operated by the Texas Youth Commission. Requires the probation commission to adopt minimum standards for the operation of these facilities.

TX *1997 Tex. Gen. Laws, Chap. 1015*
Requires placement of expelled students in juvenile justice and alternative education programs.

TX *1997 Tex. Gen. Laws, Chap. 1086*
Requires Youth Commission to accept juveniles with mental illness and to discharge those who cannot progress in its programs if the offender has completed the minimum length of stay and is not under a determinate sentence.

TX *1997 Tex. Gen. Laws, Chap. 1093*
Permits the Youth Commission to sell or license the use of a treatment program it has developed. Requires proceeds from such transaction to be placed in the fund that financed the program development.

TX *1997 Tex. Gen. Laws, Chap. 1282*
Extends immunity from liability to the juvenile board, county commissioners, county employees and volunteers for actions related to the development of juvenile justice alternative education programs.

TX *1997 Tex. Gen. Laws, Chap. 1374*
Permits detention of a juvenile in a noncertified juvenile facility until a hearing. Requires sight and sound separation of adults from juveniles.

TX *1997 Tex. Gen. Laws, Chap. 1394*
Expands purposes of the Texas Juvenile Probation Commission to include setting standards for a community-based juvenile justice system and promotion of delinquency prevention and intervention programs. Requires the commission to adopt implementation rules of progressive sanctions guidelines and minimum standards for juvenile justice alternative education programs.

TX *1997 Tex. Gen. Laws, HB 1929*

Sec. 2 Requires a report of child abuse or neglect in a public or private juvenile pre-adjudication or post-adjudication secure facility be filed with a local law enforcement agency, and that the local agency immediately notify the Texas Juvenile Probation Commission of any such report.

UT *1997 Utah Laws, HB 69*

Makes the Serious Habitual Offender Comprehensive Action Program (SHOCAP) a pilot program.

UT *1997 Utah Laws, HB 137*

Sec. 2 Establishes juvenile receiving centers and other programs to provide temporary services for nonadjudicated youth. Gives employees authority to locate and apprehend youth that leave unauthorized.

UT *1997 Utah Laws, HB 156*

Sec. 1 Requires the county in which a hearing is held to pay for the cost of appointed counsel for an indigent minor.

UT *1997 Utah Laws, HB 307*

Sec. 14 Requires the state to establish programs for delinquent juveniles in state custody and provides that the processes and procedures applicable to abused and neglected children are not applicable to such juveniles, with certain exceptions.

VT *1997 Vt. Acts, Act 33*

Requires the state to develop and administer a comprehensive program for delinquent children. Authorizes contracts with community-based agencies to provide juvenile probation services. Creates a youthful offender coordination position and details responsibilities.

VA *1997 Va. Acts, Chap. 387*

Excludes juveniles or young adults convicted of first or second-degree murder from eligibility in the Department of Corrections youthful offender program.

VA *1997 Va. Acts, Chap. 639*

Requires proceeds from juvenile correctional facility work programs be deposited into a special fund to support such work programs.

VA *1997 Va. Acts, Chap. 862*

Gives the Department of Juvenile Justice the same authority over juveniles that the Department of Corrections has with respect to adults regarding the obtaining of DNA information.

WA *1997 Wash. Laws, Chap. 338*

Sec. 8 Defines intensive supervision program, offers individualized treatment and transitional services, and emphasizes community involvement and support to reduce the likelihood that a juvenile will commit further offenses.

Sec. 26 Allows the court to order an exam by a chemical dependency counselor if it determines that the juvenile offender may be chemically dependent.

Sec. 32 Allows the state to sentence a juvenile up to 36 months of parole following release, in the interests of public safety or to meet the juvenile's ongoing needs.

Sec. 42 Requires housing an offender under age 18 who is convicted in adult criminal court and who is sentenced to jail in a jail cell that does not contain adult offenders, until the offender reaches age 18.

Sec. 61, 62 Authorizes local governments, in order to receive certain funds, to submit proposals that establish community juvenile accountability programs within their communities. Allows the state to make grants to local governments for community-based programs for juvenile offenders.

Sec. 65 Requires the Washington State Institute for Public Policy to evaluate the costs and benefits of certain programs to measure whether they cost-effectively reduce recidivism and crime rates in Washington.

WA *1997 Wash. Laws, Chap. 386*

Sec. 49-55 Requires that the state develop a policy for assessing the sexual aggressiveness and vulnerability to sexual victimization of children or youth placed in state-operated or state-funded residential facilities. Requires the implementation of the assessment process, as well as the development of placement criteria, and a report and evaluation to the Legislature.

WV *1997 W. Va. Acts, Chap. 54*

Requires the state to provide services to status offenders to develop skills and supports within families and to resolve problems and conflicts. Eliminates the requirement to commit a delinquent child to a rehabilitative facility because she or he is unmanageable. Deletes the requirement that rehabilitative facilities for status offenders may be used as temporary facilities for unmanageable juvenile offenders.

WY *1997 Wyo. Sess. Laws, SF 62*

Sec. 1 Creates the "Community Juvenile Services Act" to allow early identification and diversion of children at risk of entry into the juvenile court system. Requires the state to administer a block grant program to communities.

Juvenile Court/Legal Procedures

AL *1997 Ala. Acts, Act 97-621*

Sec. 1 Continues juvenile court jurisdiction until a child pays juvenile court fines and restitution.

AK *1997 Alaska Sess. Laws, Chap. 72*

Grants district court jurisdiction over curfew violations. Allows the court to impose community work in place of paying a fine.

AZ *1997 Ariz. Sess. Laws, Chap. 220*

Sec. 3 Gives the superior court exclusive jurisdiction over all juvenile proceedings other than delinquency determinations.

Sec. 5 Establishes powers and duties of juvenile court personnel.

Sec. 14 Establishes procedure for transferring a case from adult to juvenile court when the court finds that the defendant is under age 18. Permits dismissal in juvenile court to facilitate adult court filing when juvenile is subject to adult prosecution. Establishes procedure to transfer case from juvenile to adult court once defendant becomes 18.

Sec. 20 Permits clerks of court to issue subpoenas to compel attendance of a witness at a hearing involving a child. Permits county attorneys or the attorney general to compel attendance of a witness at a disposition hearing or advisory adjudication involving a juvenile.

Sec. 31 Requires the juvenile court to consider seven factors to determine whether public safety would be served by transferring a juvenile to adult court. Requires the court to make a transfer decision at the end of the hearing.

Sec. 32 Requires court-issued notice to juvenile felony offenders that a second offense and subsequent offenses committed at age 14 or older will result in incarceration or prosecution as an adult. Transfers authority from the court to the county attorney's office regarding requests for reduction of stay for a juvenile in a secure care facility.

AZ *1997 Ariz. Sess. Laws, Chap. 222*

Sec. 7 Allows delinquency and incorrigibility proceedings to begin by a case transfer, a petition filing, or a uniform Arizona traffic ticket referral and complaint form. Establishes venue for juvenile proceedings.

DC *1997 D. C. Law Act 179*

Requires a fact-finding hearing to be held within 45 days for a juvenile in secure detention charged with a serious or violent offense. Requires a fact-finding hearing to be held within 30 days for a juvenile in secure detention charged with a nonviolent offense.

FL *1997 Fla. Laws, SB 278*

Allows parents to file a petition to have the court declare a youth CHINS.

FL *1997 Fla. Laws, SB 1282*

Sec. 1 Increases from 19 to 21 the age at which the court may release a child from a state treatment program.

FL *1997 Fla. Laws, Chap. 97-238*

Sec. 95 Allows the court to impose an alternative sanction or place a child in a secure facility for contempt of court.

GA *1997 Ga. Laws, SB 132*

Sec. 2 (B) Allows the superior court to transfer cases that involve a child between the ages of 13 and 17 who allegedly committed a certain offense, and vests jurisdiction in the juvenile court.

HI *1997 Hawaii Sess. Act 317*

Requires opening to the public proceedings of certain adjudicated juveniles aged 14 years and older.

HI *1997 Hawaii Sess. Act 325*

Requires prior court approval for furlough, parole or discharge of a committed minor in certain cases.

ID *1997 Idaho Sess. Laws, HB 83*

Sec. 1 Includes the state as a party that may appeal a juvenile court decision.

ID *1997 Idaho Sess. Laws, HB 168*

Sec. 1 Requires the Department of Juvenile Corrections to make all decisions regarding juvenile offender placement, once the court commits the juvenile to the department.

IL *1997 Ill. Laws, P. A. 90-402*

Allows counties and cities to establish teen courts and outlines procedures.

IN *1997 Ind. Acts, SEA 400*

Sec. 24 Requires the juvenile court and local child protection services to consider and use any available services described in an early intervention plan.

IA *1997 Iowa Acts, Chap. 126*

Sec. 17 Permits oral victim impact statements in any formal proceeding disposing of a complaint against a juvenile.

Sec. 44 Increases from 10 to 12 the age at which people may participate in a peer review court. Extends the court to those who have admitted involvement in the misdemeanor or delinquent act and meet certain criteria.

KS *1997 Kan. Sess. Laws, Chap. 156*

Sec. 46 Allows the district court to continue jurisdiction over an alleged juvenile for 60 days after sentencing under certain circumstances.

Sec. 54 Permits detention and pretrial hearings to be conducted by electronic audio-video communication between the alleged juvenile offender and the judge.

Sec. 58 Allows the county or district attorney to request that the court designate the proceedings as an extended jurisdiction juvenile prosecution.

ME *1997 Me. Public Laws, Chap. 350*

Allows a juvenile caseworker to issue a juvenile summons and outlines procedure.

MD *1997 Md. Laws, Chap. 311/312*

Sec. 1 Requires the court, juvenile intake officer or district court commissioner to consider victim protection as a condition of pretrial release in cases that would be a felony if committed by an adult. Allows a judge to prohibit the release of the address of the victim. Allows a victim to address a judge before disposition in a juvenile case and to be notified of all court proceedings.

MD *1997 Md. Laws, Chap. 314*

Requires opening juvenile court proceedings when the alleged conduct would be a felony if committed by an adult with certain exceptions.

MI *1996 Mich. Pub. Acts, Act 246*

Sec. 1 Requires the court to discharge a juvenile, who is under a delayed sentence or sentenced as an adult, from statewardship and committed under the court's order.

MI *1996 Mich. Pub. Acts, Act 252*

Sec. 1 Requires the parent to attend juvenile hearings unless excused for good cause. Provides that failure to attend may result in contempt and imposition of fines.

MI *1996 Mich. Pub. Acts, Act 257*

Sec. 1 Transfers the burden from the court to a juvenile to prove that he or she has been rehabilitated and presents no serious risk to public safety.

MI *1996 Mich. Pub. Acts, Act 260*

Sec. 1 Gives the circuit court jurisdiction to hear and determine a specified juvenile offense if committed by a juvenile between the ages of 14 and 16.

MI *1996 Mich. Pub. Acts, Act 261*

Sec. 1 Gives the municipal court original and exclusive jurisdiction of certain cases that involve juveniles.

MI *1996 Mich. Pub. Acts, Act 409*

Sec. 1 Transfers proceedings that pertain to adoption, name change, juvenile delinquency, and abuse and neglect from the probate court to the family court.

MS *1997 Miss. Laws, SB 2510*

Sec. 4 Requires youth court prosecutors to receive specific training.

MS *1997 Miss. Laws, SB 2766*
Sec. 1 Allows Rankin County to extend its teen court program. Establishes criteria for eligible offenders.

NV *1997 Nev. Stats., Chap. 4*
Prohibits certain juvenile offenders from bringing a civil action against the victim.

NH *1997 N. H. Laws, Chap. 19*
Allows extension of time limits, not to exceed 14 calendar days, upon showing of good cause, for holding an adjudicatory hearing in delinquency cases.

OK *1997 Okla. Sess. Laws, SB 645*
Permits district courts to establish juvenile drug courts based upon the provisions of the Oklahoma Drug Court Act.

TN *1997 Tenn. Pub. Acts, Chap. 516*
Preserves appeal of orders in delinquency, unruly child and dependency and neglect proceedings.

TN *1997 Tenn. Pub. Acts, Chap. 540*
Incorporates extradition elements of the "Interstate Compact on Juveniles" into state law.

TX *1997 Tex. Gen. Laws, Chap. 193*
Compels the court to issue a summons requiring the adult responsible for a person younger than 17 to be present at all proceedings. Permits the court to proceed when the responsible adult fails to appear.

TX *1997 Tex. Gen. Laws, Chap. 772*
Requires every county juvenile judge to personally inspect each pre- and post-adjudication and juvenile correctional facility in the county. Requires such facilities to meet certain minimum standards.

TX *1997 Tex. Gen. Laws, Chap. 1091*
Permits the prosecutor to transfer a child's case to juvenile court for certain preliminary investigations and statistical reporting purposes, then requires the case to be returned to the prosecuting attorney within three business days.

WA *1997 Wash. Laws, Chap. 338*
Sec. 1 Prohibits a parent or guardian of a minor arrested on a criminal charge from examination as to a communication between the child and his or her attorney if the communication was made in the parent's or guardian's presence.

WA *1997 Wash. Laws, HB 1922*
Sec. 1 Creates a pilot project that grants certain courts limited concurrent jurisdiction over certain minor juvenile offenses.

WY *1997 Wyo. Sess. Laws, SF 17*
Sec. 1 Expands the list of rights for victims of a delinquent act that constitutes a felony. Gives victims the right to be apprised of the status of the case; discloses to the victim all offender records and delinquency proceedings regarding a minor's misconduct; and allows the victim to be present at all proceedings.

WY *1997 Wyo. Sess. Laws, HB 137a*
Sec. 1 Gives the juvenile court jurisdiction over all matters and proceedings concerning certain minors and parents of minors who are delinquent, neglected, or in need of supervision.

Prevention/Intervention

AZ *1997 Ariz. Sess. Laws, Chap. 220*

Sec. 105 Appropriates $1 million from general fund to assist Department of Education in implementing the safe schools program.

Sec. 78 Eliminates joint legislative committee on school safety and creates a school safety program oversight committee to review plans to provide a proactive approach to prevent juvenile referrals and incarceration. Requires the Department of Education to fund the cost of assigning law enforcement and juvenile probation officers to safe schools programs.

AR *1997 Ark. Acts, Act 745*

Sec. 1 Continues the Common Ground Program to provide services to prevent high-risk behaviors. Directs collaboration among government agencies, private entities and citizens.

AR *1997 Ark. Acts, Act 1346*

Sec. 1 Requires the Department of Education to create a Safe Schools Committee and specifies certain responsibilities.

CA *1996 Cal. Stats., Chap. 1049*

Appropriates funds and expands the repeat offender prevention project. Requires programs to provide intervention strategies to develop parenting skills and parent-child relationships. Requires each county to promote partnerships between public and private agencies to develop individualized intervention strategies.

GA *1997 Ga. Laws, SB 50*

Sec. 1 Requires the education department to provide enrichment activities to middle school age children during nonschool hours to reduce juvenile crime.

IN *1997 Ind. Acts, SEA 400*

Sec. 24 Requires the juvenile court and local child protection services to consider and use any available services described in an early intervention plan.

IN *1997 Ind. Acts, SEA 400*

Sec. 24 Requires each county to develop a community services plan for early intervention to provide services targeted to CHINS or at-risk CHINS. Requires each county to establish a team to develop a plan. Requires the juvenile court and local child protection services to consider and use any available services described in an early intervention plan.

KS *1997 Kan. Sess. Laws, Chap. 156*

Sec. 94 Establishes the Kansas advisory group on juvenile justice and delinquency prevention to review grant applications and make recommendations.

MN *1997 Minn. Laws, Chap. 162*

Sec. 2 Authorizes family service collaborative pilot programs to serve neighborhoods with a range of educational, child care, health and crime prevention services.

MN *1997 Minn. Laws, Chap. 239*

Sec. 3 Authorizes the corrections commissioner to develop and administer a gang intervention pilot grant program.

MS *1997 Miss. Laws, SB 1236*

Sec. 1 Allows the education department to conduct a pilot program with the use of video camera equipment as part of the school violence prevention grant program.

MT *1997 Mont. Laws, Chap. 550*

Sec. 73 Authorizes an intervention in delinquency pilot program including a study of youth placement costs.

NV *1997 Nev. Stats., Chap. 119*

Allows additional penalties to be imposed on an adult for crimes committed while being assisted by a minor.

NV *1997 Nev. Stats., File No. 128*

Urges school districts to develop and adopt policies for disciplining pupils to ensure a healthy and safe learning environment, free from violence and other criminal activity.

TX *1997 Tex. Gen. Laws, Chap. 1394*

Expands purposes of the Texas Juvenile Probation Commission to include the establishing of standards for a community-based juvenile justice system and promotion of delinquency prevention and intervention programs.

UT *1997 Utah Laws, HB 184*

Sec. 1 Authorizes the state to provide grants for community-based prevention programs that assist parents and school-aged children and other prevention programs.

WV *1997 W. Va. Acts, Chap. 53*

Adds family-focused, community-based services to the goals of the state's child welfare system. Includes the rehabilitation of juvenile delinquents, a reduction in the rate of juvenile delinquency and the provision of services to prevent abuse and neglect and juvenile delinquency.

WY *1997 Wyo. Sess. Laws, SF 62*

Sec. 1 Creates the "Community Juvenile Services Act" to allow early identification and diversion of children at risk of entry into the juvenile court system. Requires the state to administer a block grant program to communities.

WY *1997 Wyo. Sess. Laws, SF 63*

Sec. 1 Creates a state advisory council on juvenile justice and delinquency prevention.

Records

AK *1997 Alaska Sess. Laws, Chap. 64*

Sec. 1 Allows the state to disclose confidential information about a minor to state employees for official use.

Sec. 3 Prohibits disclosure of a minor's name or picture to the public unless disclosure is authorized or required.

AZ *1997 Ariz. Sess. Laws, Chap. 220*

Sec. 11 Defines access to records by adult probation officers, prosecutors and appropriate jail authorities. Protects identity of victims. Prohibits adoption, severance or dependency proceedings from being open to the public. Permits courts to order records be kept closed if in clear public interest. Repeals existing section regarding destruction of juvenile criminal records.

Sec. 21 Permits the court to provide to the state fingerprints of a juvenile adjudicated delinquent for an offense that would be a felony if committed by an adult.

Sec. 75 Establishes that successful completion of probation may result in expungement of records, but the Department of Transportation still may use the offense to determine the status of a juvenile's driver's license.

AR *1997 Ark. Acts, Act 332/397*

Sec. 1 Allows the release of a juvenile's name, age and other pertinent information when a juvenile escapes from a youth services center, state hospital or local juvenile detention center.

CA *1996 Cal. Stats., Chap. 909*

Reduces the registration period for specified juvenile sex offenders. Requires local government to notify certain juveniles of requirements.

GA *1997 Ga. Laws, HB 506*

Sec. 1 Requires that juvenile law enforcement records involving an offense under the superior court jurisdiction will be kept and reported in the same manner as adult records.

GA *1997 Ga. Laws, HB 567*

Sec. 2, 3 Requires the court to notify the school system when a person aged 17 or older is convicted of a felony. Requires the court to notify the school when a child between the ages of 13 and 17 is convicted of certain offenses.

HI *1997 Hawaii Sess. Act 292*

Allows fingerprinting of juveniles age 12 or older who commit an act that, if committed by an adult, would be a misdemeanor or a petty misdemeanor, in addition to a felony.

HI *1997 Hawaii Sess. Act 317*

Makes public the proceedings and records of certain adjudicated juveniles age 14.

ID *1997 Idaho Sess. Laws, SB 1018*

Sec. 1 Opens to the public juvenile court proceedings against a juvenile aged 14 or older who is charged with an offense that would be a felony if committed by an adult.

IL *1997 Ill. Laws, P. A. 90-127*

Gives state and local correctional officers access to juvenile records.

IA *1997 Iowa Acts, Chap. 126*

Sec. 16 Makes public a complaint that alleges a juvenile, at least age 10, has committed a delinquent act that, if committed by an adult, would be a public offense.

LA *1997 La. Acts, Act 732*

Prohibits public disclosure of victims' names by public officials and law enforcement employees. Defines how information regarding the victim can be used by these public employees without public disclosure.

LA *1997 La. Acts, Act 928*

Requires juvenile sex offenders to be subject to the same registry and notification requirements as adult sexual offenders, except does not compel juvenile sex offenders to follow specific requirements regarding his presence in the community.

LA *1997 La. Acts, Act 1127*

Restricts expungement of juvenile criminal records and defines when and how a person aged 17 or older can move for expungement of juvenile criminal conduct records.

ME *1997 Me. Public Laws, Chap. 251*

Permits distribution of confidential information of an adjudicated juvenile offender to certain agencies to create a plan for the juvenile's rehabilitation.

ME *1997 Me. Public Laws, Chap. 278*

Permits distribution of confidential information about an adjudicated juvenile offender to certain agencies to create an individualized plan for a juvenile's rehabilitation.

ME *1997 Me. Public Laws, Chap. 421*

Sec. A-4 Makes certain juvenile records open to inspection by the victim regardless of whether the hearing is open to the public.

Sec. 6-A Makes records pertaining to a juvenile, against whom a petition has not been filed, confidential unless the juvenile, the juvenile's parents or guardian have given written consent to disclosure.

MD *1997 Md. Laws, Chap. 393*

Requires the court to report to the motor vehicle administration an adjudicated delinquent child who committed car theft or unauthorized use of a motor vehicle.

MI *1996 Mich. Pub. Acts, Act 511*

Sec. 1 Requires a juvenile convicted of or found responsible for certain serious crimes to provide DNA samples prior to community placement or discharge.

MN *1997 Minn. Laws, Chap. 239*

Sec. 4 Allows the name of a juvenile who is the subject of a delinquency petition to be released to the alleged victim upon the victim's request.

Sec. 4, 5 Requires releasing certain juvenile court delinquency proceeding records to requesting law enforcement and prosecuting authorities. Requires the juvenile court to specify in juvenile petitions involving felony or gross misdemeanor offenses whether a juvenile was referred to a diversion program, the status of the petitions, or if the juvenile was adjudicated delinquent.

Sec. 13 Adds criminal justice agencies in other states to the list of organizations that may access data in the juvenile history record system. Requires the criminal apprehension bureau to disseminate only juvenile adjudication history records for background checks, unless otherwise authorized.

MS *1997 Miss. Laws, SB 2510*

Sec. 8 Requires the state to disclose all information regarding a previous youth court intake that alleges a child was delinquent, in need of supervision or special care, truant, abused or neglected.

MT *1997 Mont. Laws, Chap. 450*

Requires notification of school officials when a student is adjudicated in the juvenile system for a second offense. Prohibits making such records part of a student's permanent school records.

MT *1997 Mont. Laws, Chap. 550*

Sec. 64 Permits publication of name, picture and other information relating to a youth who has left a youth correctional facility and poses a threat to public safety.

NV *1997 Nev. Stats., Chap. 158*

Requires certain school officials to be notified concerning juveniles who have committed certain sexual offenses. Prohibits such juveniles from attending the same school as the victim under certain circumstances.

NV *1997 Nev. Stats., Chap. 386*

Requires a court to provide certain information about a pupil to a school district who unlawfully caused or attempted to cause serious bodily injury to another person.

NV *1997 Nev. Stats., Chap. 445*

Sec. 3 Requires sealing an offender's juvenile records until age 24 unless he or she was adjudicated of certain sexual or violent acts or if she or he committed another felony before age 24.

Sec. 4 Requires fingerprints of a child if he or she is in custody for an act that would be a felony if committed by an adult. Establishes provisions that require placing a juvenile's fingerprints in local and state systems. Requires destroying photographs of children in custody if the court finds the child not delinquent.

Authorizes fingerprinting and photographing of certain juveniles who committed a crime that would be a felony, gross misdemeanor, or sexual offense if committed by an adult. Prohibits sealing certain records of juveniles in certain circumstances.

NV *1997 Nev. Stats., Chap. 528*

Sec. 4, 5 Requires the state to collect certain information about a child adjudicated delinquent for an act that, if committed by an adult, would be a sexual offense.

Requires the Department of Motor Vehicles and Public Safety director to establish a program to compile and analyze data of adjudicated juveniles who commit sexual delinquent acts. Requires a report to the Legislature.

NV *1997 Nev. Stats., Chap. 654*

Sec. 6 Requires the prosecuting attorney to provide information to victims of sexual crimes committed by adjudicated delinquent juveniles.

NY *1996 N. Y. Laws, Chap. 645*

Requires destroying the fingerprints and records of a juvenile who has not been adjudicated for a felony after two years.

ND *1997 N. D. Sess. Laws, Chap. 138*

Sec. 3 Requires keeping records and files of a child alleged or found to be delinquent, unruly, or deprived separate from adult arrest records.

TX *1997 Tex. Gen. Laws, Chap. 380*

Permits dissemination of certain information regarding a juvenile offender who has escaped from state custody.

TX *1997 Tex. Gen. Laws, Chap. 898*

Permits law enforcement officials to send gang information to a regional database. Suspends previous provisions related to destruction of gang records.

TX *1997 Tex. Gen. Laws, Chap. 986*

Requires the probation commission to operate a statewide registry for all juvenile pre and post-adjudication secure detention and correctional facilities, except those operated by the Texas Youth Commission.

TX *1997 Tex. Gen. Laws, Chap. 1015*

Clarifies notice requirements between law enforcement and school officials.

TX *1997 Tex. Gen. Laws, Chap. 1233*
Clarifies the offenses for which law enforcement officials are required to notify school officials when a student is arrested.

VA *1997 Va. Acts, Chap. 371*
Requires the court to notify school superintendents when a student has been adjudicated or convicted of an offense involving marijuana.

VA *1997 Va. Acts, Chap. 430*
Makes open to the public records of a minor charged with a violent juvenile felony.

VA *1997 Va. Acts, Chap. 452*
Permits the Department of Juvenile Justice, without a court order, to release identifying information to the public about a serious juvenile offender who has escaped the department's custody.

VA *1997 Va. Acts, Chap. 541*
Requires entry of a juvenile's name into a youth gang file from the Virginia Crime Information Network upon the arrest and determination that a youth is in a gang. Defines youth gang.

VA *1997 Va. Acts, Chap. 657*
Requires sending fingerprints of a juvenile, age 14 or older and charged with a serious felony, to Central Criminal Records Exchange. Requires destruction within six months if juvenile is found not guilty of the charge.

VA *1997 Va. Acts, Chap. 862*
Gives the Department of Juvenile Justice the same authority over juveniles that the Department of Corrections has with respect to adults regarding the obtaining of DNA information.

VA *1997 Va. Acts, Chap. 862*
Requires the prosecutor to give notice of adult court transfer to counsel if a minor is represented and to the parent or guardian if the minor is not represented by counsel.

WV *1997 W. Va. Acts, Chap. 67*
Requires the court to provide court proceeding transcripts of juvenile delinquency and child abuse and neglect cases upon a written request by an indigent respondent or her or his counsel.

WV *1997 W. Va. Acts, Chap. 111*
Sec. 49-5-17 Makes juvenile records public when a juvenile is age 14 or older under certain conditions.

WY *1997 Wyo. Sess. Laws, SF 17*
Sec. 1 Expands the list of rights for victims of a delinquent act that constitutes a felony. Gives victims the right to be apprised of the status of the case, discloses to the victim all offender records and delinquency proceedings regarding a minor's misconduct, and allows the victim to be present at all proceedings;

WY *1997 Wyo. Sess. Laws, SF 18*
Sec. 1 Makes available to the public the final disposition order of the proceeding of a delinquent minor who committed a violent felony. Prohibits disclosure if the child is seriously emotionally disturbed.

Waiver/Certification to Adult Court

AZ *1997 Ariz. Sess. Laws, Chap. 220*
Sec. 3 Gives the superior court exclusive jurisdiction over all juvenile proceedings other than delinquency determinations.

Sec. 14 Establishes procedures for transferring a case from adult to juvenile court when the defendant is under age 18. Permits dismissal in juvenile court to facilitate adult court filing when juvenile is subject to adult prosecution. Establishes procedures to transfer a case from juvenile to adult court once the defendant becomes 18.

Sec. 18 Permits detaining juveniles in adult facilities only after a formal charge as an adult. Requires sight and sound separation from adults for juveniles detained in adult jails, prisons and lockups. Permits juvenile detention in adult facilities only after a minor is formally charged as an adult.

Sec. 31 Requires the juvenile court to consider seven factors to determine whether public safety would be served by transferring a juvenile to adult court. Requires the court to make a transfer decision at the end of the hearing.

Sec. 32 Requires court-issued notice to juvenile felony offenders that a second offense and subsequent offenses committed at age 14 or older will result in incarceration or prosecution as an adult.

Sec. 37 Requires prosecuting a juvenile convicted of two DUI offenses within 60 months in the same manner as an adult.

Sec. 72 Gives prosecutors discretion to pursue adult charges for juveniles age 14 and older accused of several enumerated offenses. Establishes procedures in adult court to determine that a juvenile is a chronic offender and requires that juveniles be sentenced in the same manner as adults.

Sec. 72 Allows direct filing in adult court if a juvenile age 15 or older commits first- or second- degree murder, forcible sexual assault, armed robbery, aggravated assault that involves the use of a deadly weapon, drive by shooting or shooting at a structure.

AR *1997 Ark. Acts, Act 1229*

Sec. 8 Sentences a juvenile for not less than nine months if charged as an adult for first or second-degree escape.

CT *1997 Conn. Acts, P. A. 4*

Requires a juvenile transferred to adult court to remain in adult correctional custody until the transfer is final. Requires a transfer to be final if the state's attorney does not file a motion to return the juvenile to juvenile jurisdiction within a certain time.

FL *1997 Fla. Laws, SB 1282*

Clarifies that a juvenile transferred to adult court, but given juvenile sanctions, may be committed to the Department of Juvenile Justice up to age 21. Requires the Department of Corrections to prepare a presentence report for a juvenile transferred to adult court for felony sentencing hearings. Removes the requirement that a court's decision to impose adult sanctions must be in writing.

FL *1997 Fla. Laws, Chap. 97-238*

Sec. 41 Directs the court to impose either adult or juvenile sanctions on a child transferred to adult court.

GA *1997 Ga. Laws, SB 132*

Sec. 2 (A) Gives the superior court jurisdiction over the trial of children between the ages of 13 and 17 who allegedly committed certain offenses.

Sec. 2 (B) Allows the superior court to transfer cases that involve a child between the ages of 13 and 17 who allegedly committed a certain offense, and vests jurisdiction in the juvenile court.

HI *1997 Hawaii Sess. Act 318*

Sec. 2 Adds a new provision that allows family court to waive jurisdiction and order a minor age 14 or older to be held for criminal proceedings in certain cases where the offense would have been a felony if committed by an adult.

ID *1997 Idaho Sess. Laws, HB 42*

Sec. 1 Permits holding juveniles who have been charged formally as an adult in a county jail or other adult prison unless the court orders otherwise.

ID *1997 Idaho Sess. Laws, HB 188*

Sec. 1 Expands the definition of failure to supervise a child to include a child who commits a crime for which she or he is tried as an adult, or for which jurisdiction is subject to waiver.

IL *1996 Ill. Laws, P. A. 89-462*

Sec. 255 Excludes from the definition of delinquent a minor who at the time of an offense was at least 13 years old and who is charged with first-degree murder committed during the course of either criminal sexual assault, aggravated criminal sexual assault or aggravated kidnapping.

Sec. 280 Allows the court to sentence a person to life imprisonment when the death penalty is not imposed if the defendant has not attained age 17 at the time of the commission of the murder, and is found guilty of murdering a person under age 12 during aggravated criminal sexual assault criminal sexual assault, or aggravated kidnapping.

IA *1997 Iowa Acts, Chap. 126*

Sec. 11 Allows the juvenile court to waive jurisdiction over a child who allegedly committed a public offense so that the child may be prosecuted as a youthful offender and supervised by juvenile and, later, adult authorities.

Sec. 20 Allows the county attorney or child to request the court to waive jurisdiction for prosecution as an adult or a youthful offender.

LA *1997 La. Acts, Act 1137*

Defines and adds forcible rape to the offenses under which a juvenile can be subject to a transfer hearing and subsequently tried as an adult.

MI *1996 Mich. Pub. Acts, Act 247*

Sec. 1 Allows the court to impose an adult sentence on juveniles convicted of certain crimes.

MI *1996 Mich. Pub. Acts, Act 248*

Sec. 1 Requires the court to give greater weight to the seriousness of the alleged offense and the juvenile's prior delinquency record when determining whether to sentence a juvenile as an adult.

MI *1996 Mich. Pub. Acts, Act 250*

Sec. 1 Lowers from 15 to 14 the age at which a juvenile may be charged as an adult, provided the prosecuting attorney files a petition in juvenile court instead of authorizing a complaint and warrant.

Sec. 1 Reduces from 15 to 14 the age of a person who may be committed as a state ward by a court of general criminal jurisdiction.

MI *1996 Mich. Pub. Acts, Act 255/262*

Sec. 1 Allows the probate court to waive jurisdiction of a juvenile age 14 years or older who is accused of an act that, if committed by an adult, would be a felony to a court of general criminal jurisdiction.

MN *1996 Mich. Pub. Acts, Act 248*

Sec. 1 Requires the court to give greater weight to the seriousness of the alleged offense and the juvenile's prior delinquency record when determining whether to sentence a juvenile as an adult.

MT *1997 Mont. Laws, Chap. 285*

Creates the Montana Street Terrorism Enforcement and Prevention Act. Defines "criminal street gang" and "pattern of street gang activity." Establishes deterrence and punishment of criminal street gang activity related offenses. Adds coercion to a list of offenses by which a juvenile can be transferred to adult court.

MT *1997 Mont. Laws, Chap. 550*

Sec. 18 Clarifies discretion, conditions and offenses when a prosecutor may seek to transfer a juvenile offender to adult court.

NV *1997 Nev. Stats., Chap. 232*

Allows adult prosecution of juveniles who escape or attempt to escape from detention or training facilities. Clarifies automatic transfer proceedings.

ND *1997 N. D. Sess. Laws, Chap. 266*

Sec. 1 Allows the juvenile court to transfer a delinquency case to adult court if it determines that there is probable cause to believe the child committed an act that involves manufacture, delivery or possession of a controlled substance, with certain exceptions.

ND *1997 N. D. Sess. Laws, Chap. 267*

Sec. 1 Allows the district court, under certain circumstances, to prosecute a person who committed an offense while as a child and was not adjudicated for the offense in juvenile court.

OK *1997 Okla. Sess. Laws, HB 1632*

Implements the state's youthful offender program. Defines which offenses make a juvenile or young adult eligible for youth offender services. Transfers a youthful offender to the adult system if she or he commits another offense or fails to complete an approved treatment plan.

VA *1997 Va. Acts, Chap. 862*

Grants the adult court judge discretion to place a juvenile subject to discretionary transfer in an adult jail without separation from adults.

VA *1997 Va. Acts, Chap. 862*

Requires the prosecutor to give notice of adult court transfer to counsel if a minor is represented and to the parent or guardian if the minor is not represented by counsel.

WA *1997 Wash. Laws, Chap. 338*

Sec. 42 Requires housing an offender under age 18 who is convicted in adult criminal court and who is sentenced to jail in a jail cell that does not contain adult offenders, until the offender reaches age 18.

Weapons Offenses

AZ *1997 Ariz. Sess. Laws, Chap. 220*

Sec. 72 Allows direct filing in adult court if a juvenile aged 15 or older commits first- or second-degree murder, forcible sexual assault, armed robbery, aggravated assault that involves the use of a deadly weapon, drive by shooting or shooting at a structure.

FL *1997 Ind. Acts, HB 1309*

Sec. 20 Makes a person who stores or leaves a loaded firearm within access of a minor who obtains the firearm and commits a violation guilty of a second-degree misdemeanor.

HI *1997 Hawaii Sess. Act 141*

Allows school to approve the suspension of a child who possesses a dangerous weapon, intoxicating liquor or illicit drugs.

IL *1997 Ill. Laws, P. A. 89-610*

Sec. 5 §10-22. 6 Allows the school board to expel a student for not less than one year if she or he brings a weapon to school or any school-related event. Allows school authorities to inspect and search school property and school-owned equipment without notice to students or a search warrant.

IA *1997 Iowa Acts, Chap. 119*

Reaffirms criminal street gangs weapons and stolen weapons offenses.

ME *1997 Me. Public Laws, Chap. 462*

Prohibits certain juveniles who have reached age 18 from owning, possessing or controlling a firearm for a specified period.

MI *1996 Mich. Pub. Acts, Act 258*

Sec. 1 Requires that a juvenile who uses a firearm during the commission of a crime be committed to a detention facility.

MT *1997 Mont. Laws, Chap. 435*

Makes it a criminal offense to carry, possess or store a weapon in a school building. Makes it an offense for a parent or guardian to permit a minor to carry, possess or store a weapon in a school building.

NV *1997 Nev. Stats., Chap. 15*

Sec. 5 Increases the number of hours of community service for an adjudicated delinquent child who unlawfully possesses a firearm.

NV *1997 Nev. Stats., Chap. 314*

Sec. 5 Makes permitting a minor to use a firearm to commit a violent offense and unlawful sale of a firearm to a minor both felony offenses.

NV *1997 Nev. Stats., Chap. 353*

Sec. 5 Makes permitting a minor to use a firearm to commit a violent offense and the unlawful sale of a firearm to a minor both felony offenses.

TX *1997 Tex. Gen. Laws, Chap. 1304*

Increases from a misdemeanor to a felony the penalty for providing a handgun to a minor.

SUBSTANCE ABUSE AND CONTROL

License Revocation/Suspension

AR *1997 Ark. Acts, Act 1325*

Defines "sworn report" for purposes of the Omnibus DWI Act. Requires completion of an alcohol education program prior to reinstatement of a revoked driver's license.

GA *1997 Ga. Laws, HB 250*

Allows for the confiscation of a person's driver's license if under 21 years of age and attempting to purchase alcoholic beverages.

MD *1997 Md. Laws, Chap. 451*

Requires that a minor's drivers license be revoked or suspended when guilty of drug-related or drunk driving offenses.

NV *1997 Nev. Stats., Chap. 226*

Establishes penalties for minors found guilty of using, possessing, selling, distributing, purchasing or consuming controlled substances or alcohol.

NV *1997 Nev. Stats., Chap. 605*

Outlines when a minor's driver's license or permit may be suspended.

ND *1997 N. D. Sess. Laws, Chap. 334*

Lowers the per se alcohol level for a person under 21 years of age to .02 percent when operating a vehicle. Provides for penalties depending on the offense.

TX *1997 Tex. Gen. Laws, Chap. 1013*

Creates a separate offense for minors driving under the influence of alcohol and increases the penalties for other alcohol-related offenses by a minor including suspension of license, fines and mandatory community service.

Penalties/Procedures/Services/Offenses

AZ *1996 Ariz. Sess. Laws, Chap. 220*

Sec. 36 Requires that juveniles guilty of a DUI offense complete alcohol or drug screening and allows the court to impose additional drug education or treatment. Requires the child, parent, or guardian to pay the costs of drug or alcohol screening, treatment or education unless the court waives all or part of the costs. Specifies that, for purposes of DUI statutes, an order of a juvenile court adjudicating the delinquent is the equivalent to a conviction.

AZ *1997 Ariz. Sess. Laws, Chap. 220*

Sec. 36 Requires a minimum 24-hour incarceration for a juvenile's first DUI offense.

AZ *1997 Ariz. Sess. Laws, Chap. 220*

Sec. 37 Requires that a juvenile convicted of two DUI offenses within 60 months be prosecuted in the same manner as an adult.

AR *1997 Ark. Acts, Act 1056*
Applies the enhanced penalty for selling controlled substances within 1,000 feet of a child care center and adds the offense of possessing with intent to deliver.

AR *1997 Ark. Acts, Act 1142*
Enhances the penalty for those convicted of possessing controlled substances while in a state or local juvenile detention facility.

AR *1997 Ark. Acts, Act 1210*
Increases the minimum fine from $10 to $100 for the criminal offense of purchasing or possessing intoxicating liquor by a minor.

DC *1997 D. C. Law Act 340*
Provides for criminal and civil penalties for misrepresentation of age when purchasing, possessing or consuming an alcoholic beverage.

FL *1997 Fla. Laws, Chap. HB 305*
Prohibits the sale, delivery or possession of controlled substances within 1,000 feet of a child care facility and provides penalties.

HI *1997 Hawaii Sess. Act 141*
Allows a deputy superintendent or a district superintendent to approve school suspension of a child who possesses a dangerous weapon, intoxicating liquor or illicit drugs.

ID *1997 Idaho Sess. Laws, SB 1074*
Establishes penalties for persons driving under the influence of alcohol, drugs or other intoxicating substances.

ID *1997 Idaho Sess. Laws, SB 1081*
Lowers the illegal blood alcohol level from 0.10 to 0.08 for drivers.

IL *1996 Ill. Laws, P. A. 89-622*
Limits when students suspended or expelled for possession, sale or delivery of drugs and other specific reasons may transfer to another school district.

IA *1997 Iowa Acts, Chap. 125*
Increases by an additional five years the penalty of confinement for manufacturing methamphetamine in the presence of a minor.

ME *1997 Me. Public Laws, Chap. 382*
Makes it illegal for minors to transport drugs. Establishes penalties.

MI *1996 Mich. Pub. Acts, Act 248*
Sec. 1 Allows the court to sentence a juvenile, who is convicted of manufacturing, delivering, creating, or possessing with intent to deliver certain narcotics or cocaine, to imprisonment for not less than 25 years.

MT *1997 Mont. Laws, Chap. 182*
Clarifies when a person under 21 years of age commits the offense of possessing an intoxicating substance.

MT *1997 Mont. Laws, Chap. 520*
Increases the severity of penalties for drivers under age 21 who have an alcohol blood level of 0.02 or more.

NV *1997 Nev. Stats., Chap. 226*

Establishes penalties for minors found guilty of using, possessing, selling, distributing, purchasing or consuming controlled substances or alcohol.

ND *1997 N. D. Sess. Laws, Chap. 138*

Sec. 1 Allows the juvenile court to transfer a delinquency case to adult court when there is probable cause a child is involved in the manufacture, delivery or possession of a controlled substance, with certain exceptions.

ND *1997 N. D. Sess. Laws, Chap. 205*

Lowers the age from 21 to 18 when a person is subject to mandatory drug sentencing for using a minor in the manufacture or delivery of a controlled substance.

OK *1997 Okla. Sess. Laws, SB 645*

Permits district courts to establish juvenile drug courts based upon the provisions of the Oklahoma Drug Court Act.

OK *1997 Okla. Sess. Laws, HB 1213*

Makes soliciting gang membership by a minor and encouraging a minor to participate in certain drug related crimes schedule E offenses for truth-in-sentencing purposes.

SD *1997 S. D. Sess. Laws, HB 1276*

Limits when those who have used, possessed or distributed controlled substances may participate in certain extracurricular activities or financial aid assistance.

TN *1997 Tenn. Pub. Acts, Chap. 326*

Expands list of prohibited substances for possession by students to include prescription drugs.

TX *1997 Tex. Gen. Laws, Chap. 723*

Establishes space requirements between businesses selling alcoholic beverages and a day care or child care facility.

TX *1997 Tex. Gen. Laws, Chap. 1013*

Creates a separate offense for minors driving under the influence of alcohol.

TX *1997 Tex. Gen. Laws, Chap. 1139*

Allows minors to purchase and possess alcoholic beverages under certain conditions.

UT *1997 Utah Laws, P. A. 90-512*

Allows the state and local boards of education to adopt rules that prohibit students and staff from the use, possession or distribution of controlled substances, including tobacco and alcohol beverages, at school activities.

VA *1997 Va. Acts, Chap. 371*

Authorizes suspending or expelling any student adjudicated delinquent or convicted of a drug control act offense. Requires the court to notify school superintendents when a student has been adjudicated or convicted of an offense involving marijuana. Permits suspension or expulsion for offenses that occurred off school grounds.

Prevention/Education

FL	*1997 Fla. Laws, HB 1309* Sec. 18 Requires each school district to adopt a policy of zero tolerance for crime and substance abuse, which includes reporting of delinquent acts and crimes of juveniles under the school district jurisdiction.
FL	*1997 Fla. Laws, Chap. HB 259* Changes the process of funding alcohol and drug abuse services in the Department of Health and Rehabilitative Services throughout the state.
GA	*1997 Ga. Laws, HB 681* Enacts the Teen-age and Adult Driver Responsibility Act. Provides that minors guilty of driving under the influence of drugs or alcohol shall be penalized the same as adults.
HI	*1997 Hawaii Sess. Act 324* Appropriates funds for treatment of teens dependent on drugs.
ID	*1997 Idaho Sess. Laws, HB 346* Sec. 4, 5 Appropriates a portion of cigarette and tobacco taxes to the public school income fund for substance abuse programs to juvenile corrections for drug testing and the counties for juvenile probation services.
IL	*1997 Ill. Laws, Act 507* Sec. 10-25 Requires the Department of Human Services to establish a drug education and treatment referral program for participants in the WIC Nutrition Program.
IN	*1997 Ind. Acts, SB 404* Designates the Indiana judicial center to administer the alcohol and drug services program and creates a fund to support it.
ND	*1997 N. D. Sess. Laws, Chap. 158* Establishes guidelines for school districts when implementing chemical abuse prevention programs.

Tobacco Use Control

AL	*1997 Ala. Acts, Act 97-423* Establishes the Alabama Alcoholic Beverage Control Board to promulgate, regulate and enforce state and federal laws prohibiting the sale of tobacco or tobacco products to minors.
AR	*1997 Ark. Acts, Act 779* Restricts the use of tobacco products on any school property other than a smoking area designated for teachers, school personnel and visiting adults.
HI	*1997 Hawaii Sess. Act 296* Make it unlawful for minors under age 18 to purchase tobacco except under special circumstances.
IL	*1997 Ill. Laws, Act 507* Sec. 10-25 Requires the Department of Human Services to cooperate with the Department of Public Health to provide a smoking cessation program for participants in the WIC Nutrition Program.
IN	*1997 Ind. Acts, SA 106* Regulates the sale of tobacco to comply with federal law.

IA	*1997 Iowa Acts, Chap. 13* Restricts the sale of tobacco from vending machines depending on their location and availability to minors.
LA	*1997 La. Acts, SCR 158* Applauds the settlement agreement reached with the tobacco industry and to adopt regulations that protect children from tobacco access.
LA	*1997 La. Acts, Act 1010* Prohibits the possession of tobacco products by those under 18 with exceptions.
LA	*1997 La. Acts, Act 1370* Requires that anyone under 18 purchasing tobacco products must have identification showing birth date.
ME	*1997 Me. Public Laws, Chap. 305* Prohibits the sale of tobacco products to anyone without proof of age.
ME	*1997 Me. Public Laws, Chap. 560* Establishes the Tobacco Tax Relief Fund.
MT	*1997 Mont. Laws, Chap. 518* Restricts youth access to tobacco products.
NH	*1997 N. H. Laws, Chap. 338* Sec. 126-I:3 Defines proof of age for minors attempting to purchase tobacco products and provides penalties for misrepresentation. Sec. 126-I:7 Prohibits use of any tobacco product in or on any public educational facility or on their grounds.
OK	*1997 Okla. Sess. Laws, SB 619* Establishes the Prevention of Youth Access to Tobacco Act.
TX	*1997 Tex. Gen. Laws, Chap. 671* Requires that a photograph be included as part of the proof of identification when obtaining tobacco products if 18 years of age or older.
TX	*1997 Tex. Gen. Laws, Chap. 671* Limits access to and consumption of tobacco products by minors.
VT	*1997 Vt. Acts, Act 58* Prohibits the sale of tobacco products to people under 18.

WELFARE REFORM AND PUBLIC ASSISTANCE

Family Assistance - Administration

AR *1997 Ark. Acts, Act 957*

Sec. 1 Specifies circumstances of undue hardship that limit state recovery of benefits from public assistance recipients' estates.

AR *1997 Ark. Acts, Act 1058*

Sec. 3 Requires collaboration of certain state agencies to provide services to recipients.

Sec. 5 Requires department to solicit participation from private, nonprofit and charitable organizations for certain services.

Sec. 11 Requires the department to develop a plan, including home visits, to monitor child well being after a family is terminated from assistance.

Sec. 14 Requires department to establish individual development accounts in selected communities.

CO *1997 Colo. Sess. Laws, Chap. 234*

Sec. 26-2-708 Requires department to conduct assessments of recipients including screening for domestic violence. Requires counties to provide referrals for counseling and support service for victims of domestic violence.

Sec. 26-2-709 Maintains current benefit levels. Allows benefits to be paid as protective payment. Allows counties to provide other types of assistance in addition to basic cash grant.

Sec. 26-2-712 Requires state to give block grants to counties to administer the Colorado Works Program. Requires the state to monitor county progress toward meeting state MOE and to develop performance goals and formula for measuring county performance. Allows state department to request supplemental appropriations and to adjust county block grants according to certain criteria. Allows state to grant short-term emergency funds to counties. Requires counties and state department to establish performance contract to identify duties and responsibilities in implementing Colorado Works. Allows counties to be sanctioned for not meeting terms of contract.

Sec. 26-2-712 and 26-2-714 Requires the state department to oversee implementation of county block grants and to monitor progress in meeting work participation requirement.

Sec. 26-2-712 Requires state department to establish goals and monitor progress for reducing out-of-wedlock pregnancies.

Sec. 26-2-712 Allows counties to apply for waivers of specific requirements. Establishes procedures for submission and approval of waiver.

Sec. 26-2-712 Requires department to provide training for caseworkers to assist recipients in establishing goals, getting support services, and removing barriers, and to monitor progress of recipient in gaining self-sufficiency.

Sec. 26-2-712 Requires the state department and county to collect data on new state residents and residents moving from other counties.

Sec. 26-2-716 Allows two or more counties to jointly administer the Colorado Works Program. Defines county responsibilities, including requiring IDA's to be made available to recipients.

FL *1997 Fla. Laws, Chap. 97-173*

Sec. 4 Prohibits local WAGES coalition board members from voting on matters where they could gain financial benefit.

Sec. 4 Requires local WAGES coalitions to select an entity to administer the program and financial plan.

Sec. 4 Allows local WAGES coalitions to fund community-based initiatives related to improved paternity establishment, reduced out-of-wedlock pregnancies, increased child support for children on welfare, work activities for noncustodial parents, and encouraging father involvement.

GA *1997 Ga. Laws, SB 104*

Sec. 4a Requires department to establish and maintain a social assistance register that includes the names of individuals, organizations, groups and associations that are willing to provide assistance to welfare recipients. Requires department to publicize and disseminate information.

Sec. 6 Established the Georgia Temporary Assistance to Needy Families Program and requires assistance to be provided according to the state plan. Allows department to make rules to administer the state plan or Social Security Act.

Sec. 6 Requires department to establish provision to exempt recipients from certain obligations and requirements based on hardship.

Sec. 6 Requires department to screen and identify individuals who are victims of domestic violence. Requires department to refer recipients to counseling and support services. Allows department to waive program requirements for victims of domestic violence.

HI *1997 Hawaii Sess. Act 200*

Sec. 2 Changes the exemption for single parent household caring for a child from eight weeks of age to six months of age.

Sec. 3 Allows department to disclose recipient information to law enforcement to identify fugitive felons, parole violators, and other official uses.

IL *1997 Ill. Laws, P. A. 90-17*

Sec. 4-1 Creates the Temporary Assistance to Needy Families program that replaces AFDC.

Sec. 4-21 Requires department to establish sanction procedures for recipients who do not comply with work or other requirements. Sanction can discontinue all or part of grant, for a specified time or until recipient is compliant. Requires department define good cause for nonparticipation.

IN *1997 Ind. Acts, SB 477*

Requires establishment of county planning councils to create action plans to help recipients adjust to changes in programs and become more self-sufficient. Permits the use of federal funds.

IA *1997 Iowa Acts, Chap. 41*

Sec. 31 Requires department to develop a plan to screen for domestic violence, provides service options and waives program requirements for victims of domestic violence.

Sec. 6 Allows department to implement and administer necessary provisions to comply with federal law if the legislature is not in session.

LA *1997 La. Acts, Act 1155*

Sec. 1 Allows retailers who participate in EBT to charge a fee to recipients who obtain cash.

ME *1997 Me. Public Laws, Act 530*

Sec. A-16 Requires department to inform all applicants about services for victims of domestic violence.

Sec. a-16 Allows department to conduct home visits.

Sec. A-16 Requires department to operate an emergency assistance program.

MD *1997 Md. Laws, SB 499*

Sec. 1 Requires collaboration between welfare agency and the Department of Education to provide education and employment services.

Sec. 1 Establishes demonstration projects funded by grants to nonprofit organizations, management boards, religious organizations, educational institutions or local health departments. Defines criteria and operating procedures.

MI *1996 Mich. Pub. Acts, Act 423*

Sec. 1 Authorizes certain counties to join as one administrative unit.

MI *1996 Mich. Pub. Acts, Act 483*

Outlines responsibilities of the state agency in charge of implementing welfare reform.

MN *1997 Minn. Laws, Chap. 85*

Sec. 61 Requires department to develop procedure to identify victims of domestic violence, including referral to appropriate support services and counseling

MT *1997 Mont. Laws, Chap. 316*

Sec. 1 Replaces AFDC with the Families Achieving Independence in Montana (FAIM) program.

Sec. 18 Allows counties to offer different FAIM services.

Sec. 19 Requires the state to maintain an 80 percent maintenance of effort.

NV *1997 Nev. Stats., Chap. 489*

Sec. 7 Requires periodic evaluations to determine if recipients are victims of domestic violence. Requires referral to treatment or appropriate support services upon determination.

Sec. 24.4 Requires the development of a program designed to increase the self-sufficiency for noncustodial fathers whose children receive assistance. Increases benefits provided to the head of household on behalf of a participating father.

NJ *1997 N. J. Laws, Chap. 38*

Sec. 1 Establishes the Work First New Jersey Program.

NC *1997 N. C. Sess. Laws, SB 352*

Sec. 12.3-12.6 Establishes the Work First Program to replace AFDC. Includes diversion assistance. Authorizes agency to change program when required to comply with federal law and makes changes temporary until approved by the legislature. Requires agency to monitor and evaluate program operation to determine its effect on children and families, child abuse and neglect, and school attendance. Requires quarterly reports to the legislature. Limits administrative costs to federal maximum.

Sec. 12.5, 12.6, 12.20 Authorizes counties to elect to run a county option system. Sets procedures for election. Limits the number of county-option systems to no more than 15.5 percent of the caseload. Requires county-option systems to ensure that recipients work the federal minimum number of hours and to monitor and evaluate their systems. Allows independent evaluation to report on the operation of the county-option systems, including whether number of counties permitted options should be expanded. Permits counties to establish reserve funds. Requires the counties to maintain a baseline maintenance of effort.

Sec. 12.6 Allows counties to delegate any duties to another public agency or private contractor subject to approval by the state agency.

Sec. 12.6 Requires state maintenance of effort at 100 percent of budget for past year. Provides for progressive reduction of county share if county meets the goals in its county plan.

Sec. 12.12 Makes county lists of recipients publicly accessible records.

Sec. 12.12A Requires a state-level reserve fund of one-quarter of any state general funds appropriated to welfare still remaining at the end of the fiscal year.

ND *1997 N. D. Sess. Laws, HB 1226*

Sec. 83 Requires department to establish a welfare reform task force.

OK *1997 Okla. Sess. Laws, HB 2170*

Sec. 1 Creates the Statewide Temporary Assistance Responsibility System (STARS) program that replaces the Oklahoma Welfare Self Sufficiency Initiative.

Sec. 1 Requires collaboration with state and federal agencies to implement STARS.

Sec. 4 Allows department to establish a diversion program.

Sec. 5 Requires department to establish procedures to enable recipients to establish individual development accounts.

Sec. 7 Requires a feasibility study of the effects of providing different benefit levels for new residents.

Sec. 16 Requires employability assessments and literacy screening.

VA *1997 Va. Acts, Chap. 412*

Sec. 1 Shifts responsibility for hearing public assistance decision appeals from the state board of social services to the commissioner of social services. Requires the creation of an appeals review panel to advise changes to policies and procedures of review.

VA *1997 Va. Acts, Chap. 621*

Mandates that state laws or regulations enacted under the states' AFDC waiver prevail in cases of conflicts with new federal law or state plans.

WA *1997 Wash. Laws, Chap. 58*

Sec. 1004 Allows department to provide recipient information to law enforcement if recipient has an outstanding warrant or is a fugitive.

WA *1997 Wash. Laws, Chap. 58*

Sec. 106 Allows religious organization to provide services to recipients on the same basis as other nongovernmental providers.

Sec. 107 Requires department to provide meaningful opportunities to Native American tribes to participate in the development, oversight and operation of the state TANF program. Requires department to provide equitable access. Requires participating tribes to operate TANF program on a state fiscal year basis.

Sec. 301, 702 Establishes the Washington Workfirst Program. Requires the development of outcome measures to evaluate success of Workfirst.

WY *1997 Wyo. Sess. Laws, Act 121*

Sec. 1 Specifies uses for state maintenance of effort requirements, including skills training center pilot programs, and allows recipients to attend school or other approved educational programs.

Family Assistance - Electronic Benefit Transfer (EBT)

AR *1997 Ark. Acts, Act 1058*

Sec. 5 Requires department to develop and implement an automated benefit delivery and information system.

GA *1997 Ga. Laws, SB 104*

Sec. 1 Requires benefits to be delivered by check or electronic transfer. Department to define rules.

HI *1997 Hawaii Sess. Act 199*

Returns unused financial assistance benefits to the state if a recipient who dies, has no surviving family members receiving assistance in the same financial assistance case, or abandons an EBT account.

MS *1997 Miss. Laws, Chap. 316*

Sec. 3 Requires benefits to be paid by electronic benefits transfer.

NJ *1997 N. J. Laws, Chap. 37*

Sec. 5 Requires cash assistance and food stamp benefits to be provided using a benefit card in conjunction with electronic benefits transfer. Prohibits terminal owners from charging a fee to access benefits.

ND *1997 N. D. Sess. Laws, HB 1226*

Sec. 76 Requires implementation of an EBT program.

WA *1997 Wash. Laws, Act 58*

Sec. 104 Requires department to develop and implement an EBT system by October 2002 to administer public assistance and food stamp benefits.

Family Assistance - Eligibility and Benefits

AR *1997 Ark. Acts, Act 1058*

Sec. 5,8, 17 Requires department to establish eligibility criteria, resource limits and benefit levels. Requires parents to immunize children as a condition of eligibility.

Sec. 8 Disregards value of one car, earned income and money in IDA's when determining eligibility and benefit levels.

Sec. 12 Creates a one-time diversion payment up to three months of cash grant. Recipient ineligible to receive other assistance for 100 days.

CO *1997 Colo. Sess. Laws, Chap. 234*

Sec. 26-2-706 Disregards value of one auto in determining eligibility.

Sec. 26-2-706 Requires state board to establish eligibility rules, including an asset disregard between $1,000 and $2,000 or the resource level for the food stamp program, whichever is greater.

Sec. 26-2-706 Denies assistance to drug felons unless participating in a treatment program, or as determined by department.

Sec. 26-2-707 Allows the department and counties to administer a diversion grant to income-eligible individuals. Requires a contract specifying conditions of receiving diversion funds.

CO *1997 Colo. Sess. Laws, HB 97-1270*

Requires children of recipients to be immunized.

FL *1997 Fla. Laws, Chap. 97-173*

Sec. 6 Requires a protective payee receiving food stamps on behalf of a child, to enter into a written agreement to use the food stamps for the best interest of the child.

Sec. 7 Denies assistance to drug felons convicted of trafficking. Provides assistance to other drug felons if they comply with WAGES requirements, including any substance abuse treatment requirements.

GA *1997 Ga. Laws, SB 104*

Sec. 6 Requires immunizations as a condition of eligibility.

Sec. 6 Denies assistance to individuals convicted of violent felonies or substance abuse felonies.

Sec. 6 Provides the lesser of a former state's benefits for recipients who have resided in the state for less than 12 months. Exempts victims of domestic violence.

IL *1997 Ill. Laws, P. A. 90-17*

Sec. 1-4.2 Allows department to include nonrelatives who live together in the same assistance unit.

Sec. 4-1.12 Allows department to reduce payment levels if caseload increases by more than 5 percent. Allows department to increase benefits or if General Assembly adopts increase by a roll call vote.

Sec. 9a-13 Requires eligibility determination within 30 days of application.

IA *1997 Iowa Acts, Chap. 41*

Sec. 13 Requires children of recipients to be referred for immunization.

Sec. 12 Creates a diversion program that allows lump sum payments or services to help individuals obtain or retain employment.

LA *1997 La. Acts, Act 1155*

Sec. 1 Requires recipients to ensure children are immunized.

ME *1997 Me. Public Laws, Chap. 530*

Sec. A-16 Creates a $50 housing allowance for recipients whose shelter costs exceed 75 percent of monthly income.

Sec. A-16 Provides transitional Medicaid, child care and transportation assistance to individuals who leave assistance.

Sec. A-16 Requires participation in parenting and health classes.

MD *1997 Md. Laws, SB 499*

Sec. 1 Allows benefits to be paid to a third party on behalf of children of recipients who are sanctioned.

MN *1997 Minn. Laws, Chap. 85*

Sec. 7 and 32 Requires 30 days of residency to be eligible for benefits. Limits benefits to the lesser of former state's benefits for recipients with less than 12 months of residency.

Sec. 16 Denies cash assistance to individuals convicted after July 1, 1997 of a drug offense; assistance can be paid as a vendor payment for shelter and utilities. Recipients will be subject to drug testing.

Sec. 28 Allows benefits to be paid to a protective payee or vendor if recipient demonstrates continual mismanagement of assistance money.

Sec. 36 Sanctions grant by 10 percent for first occurrence of noncompliance with program requirements, 25 percent for failure to comply with child support enforcement.

Sec. 37 Allows department to grant a lump sum diversion payment up to four months of assistance. Limits receipt of diversion payment to once every three years.

MS *1997 Miss. Laws, Chap. 316*

Sec. 3 Requires recipient to have children immunized.

Sec. 9 Requires a decision on benefit eligibility within 30 days of application.

NV *1997 Nev. Stats., Chap. 489*

Sec. 8 Requires recipients to ensure children are immunized.

Sec. 21 Denies assistance to drug felons unless participating in a treatment program.

NJ *1997 N. J. Laws, Chap. 38*

Sec. 8 Requires parents to immunize children and participate in child's school program.

NJ *1997 N. J. Laws, Chap. 38*

Sec. 2 Declares that a failure to qualify for welfare benefits is not a sufficient basis to remove a child from his family or place the child in foster care.

NC *1997 N. C. Sess. Laws, SB 352*

Sec. 12.4 Denies assistance to drug felons for six months after release from custody or after the date of conviction if not placed in custody. Recipient must participate in or complete a suitable treatment program.

Sec. 12.8 Requires recipients determined to be substance abusers to submit to a treatment program, including substance abuse testing.

OK *1997 Okla. Sess. Laws, HB 2170*

Sec. 3 Makes soliciting gang membership by a minor and encouraging a minor to participate in certain drug related crimes as schedule E offenses for truth-in-sentencing purposes.

RI *1997 R. I. Pub. Laws, Chap. 171*

Sec. 1 Sanctions benefits by 25 percent for noncompliance without good cause.

Sec. 1 Excludes the vehicle value established by the federal food stamp program in determining eligibility.

SD *1997 S. D. Sess. Laws, SB 259*

Sec. 4, 5, 15, 12, 17 Allows department to make rules for eligibility and assistance levels for public assistance. Allows department to determine sanctions for noncompliance.

WA *1997 Wash. Laws, Chap. 58*

Sec. 301 Allows department to grant a lump sum diversion payment up to $1,500, available only once in a 12-month period. Allows department to deduct amount from a cash grant if individual begins receiving assistance.

Sec. 101 Limits new residents to lesser of former state's benefits.

Sec. 101 Requires participation in a treatment program if determined to have a substance abuse problem. Denies assistance to drug felons convicted after August 22, 1996, unless participating in a treatment program and must not have conviction involving use or possession within three years of current conviction.

WY *1997 Wyo. Sess. Laws, Act 121*

Sec. 1 Sets maximum monthly payment amounts in one- and two- person households.

Family Assistance - Employment-Related Policies

AR *1997 Ark. Acts, Act 1058*

Sec. 7 Specifies that TEA recipients are not employees of the state. Allows department to pay contributions and withholdings for federal and state tax, unemployment, workers compensation and medical premiums for individuals participating in work activities.

Sec. 9 Requires department to develop and describe work activities, including unsubsidized employment, subsidized employment, community service, job search assistance, and education and training. Specifies job search cannot be the primary work activity.

Sec. 9 Requires adult recipients who do not have a high school diploma or GED to participate in education or a GED program if not participating 40 hours per week in another activity.

Sec. 9 Requires department to establish payment schedules and participation criteria for subsidized jobs.

Sec. 9 Requires recipients to participate in work activities as a condition of eligibility; establishes exemptions, including parent of child under age 1, lack of support services or extraordinary circumstances.

Sec. 9 Prohibits employers from hiring recipients to replace laid off workers, on-strike employees, or employees terminated for the purpose of hiring a recipient.

Sec. 11 Allows former and current recipients to access one year of transitional education or training.

Sec. 14 Requires department to make a micro-lending program available for low-income entrepreneurs. Allows self-employment to count as a work activity if income divided by minimum wage equals at least 20 hours per week.

CO *1997 Colo. Sess. Laws, Chap. 234*

Sec. 26-2-711 Requires recipients to participate in work activity within 24 months. County can determine good cause for nonparticipation. Good cause exempts recipient from sanction, not work requirement. Allows counties to apply to state for waivers of work requirements. Defines appropriate work activities.

Sec. 26-2-716 Prohibits recipients from being employed or assigned to a work activity that displaces regular employees.

FL *1997 Fla. Laws, Chap. 97-193*

Sec. 6 Prohibits community service activities from exceeding 40 hours per week. Establishes formula to determine allowable hours per week.

Sec. 6 Requires that WAGES participants receive the same health, safety and nondiscrimination standards established under federal, state, or local law.

GA *1997 Ga. Laws, SB 104*

Sec. 6 Defines allowable work activities and participation rate. Limits job search to six weeks, four weeks consecutive. Allows education for recipients who have not completed high school or received GED. Limits vocational education to 12 months. Allows the provision of child care services to an individual who is participating in a community service program to count as a work activity.

Sec. 6 Requires recipient to participate in work activity when determined work ready but no later than 24 months. Allows department to exempt victims of domestic violence.

Sec. 6 Requires department to establish provision to exempt recipients from certain obligations and requirements based on hardship. Requires a sanction of 25 percent for those who do not comply with program requirements.

Sec. 9 Grants a tax credit to employers who hire welfare recipients.

IL *1997 Ill. Laws, P. A. 90-17*

Sec. 4-22 Requires department to consider circumstances of victims of domestic violence when determining work and training activities.

Sec. 9a-4 Exempts parents of a child under age 1 from work activities.

Sec. 9a-9 Requires department to provide workers' compensation coverage for recipients participation in work experience. Limit hours of participation to cash grant plus food stamps divided by minimum wage.

Sec. 9a-9 Allows participants in self-initiated education to receive support services if education plan is approved by department and conforms to recipient's self-sufficiency contract.

Sec. 9a-9, 9a-13 Defines allowable work activities and allows department to require recipients to participate in a pay-after performance work activity to earn assistance grant. Creates anti-displacement protection for existing employees whose employers hire welfare recipients.

IA *1997 Iowa Acts, Chap. 41*

Sec. 22 Requires participants in work activities to be covered by workers' compensation or comparable protection.

LA *1997 La. Acts, Act 1155*

Sec. 1 Defines allowable work activities and requires work requirements to be established in responsibility contract. Requires department to provide support services for recipients who participate in work activities. Requires department to pay worker's compensation and liability insurance coverage for individuals participating in work experience of community service activities.

Sec. 1 Requires the development of a program that allows public housing tenants to perform maintenance and upkeep of housing projects as a work activity.

ME *1997 Me. Public Laws,*

Sec. A-16 Requires recipients to participate in work activities as defined in responsibility contract. Exempts parent of child under age 1 and allows department to grant a good cause exemption for victims of domestic violence.

Sec. A-26 Requires agency collaboration to place hard-to-serve recipients in employment. Grants a bonus payment to agencies that place recipients in full-time employment with health benefits.

MD *1997 Md. Laws, SB 499*

Sec. 1 Allows a temporary exemption from work requirements for recipients who are participating in a substance abuse treatment program.

MN *1997 Minn. Laws, Chap. 85*

Sec. 40 Requires counties to develop and implement employment and training services. Requires counties to select at least two service providers unless already providing multiple service centers.

Sec. 40 Requires recipients to participate in a work activity within six months following an employment assessment, including eight weeks of job search for 30 hours per week. Limits education and training to 12 months, up to 24 months with department approval. Requires second assessment if recipient does not find job within eight weeks, and requires development of an employment plan. Exempts victims of domestic violence and parent of child under age 1.

Sec. 40 Requires parent of a child under age 1 to participate in an early childhood and family education class, parenting class.

Sec. 52 Exempts participant in the Self-Employment Investment Demonstration Program from work participation requirements for up to 24 months.

Sec. 52 Allows county to pay employer providing on the job training up to 50 percent of wages paid to recipient.

Sec. 54, 56 Allows counties to establish community work experience and subsidized employment programs. Prohibits displacement of existing workers.

Sec. 1 Allows counties to develop pilot programs to meet requirements of work first program, including job search within seven days.

MN *1997 Minn. Laws, Chap. 162*

Sec. 19 Allows participants in required work activities or job search to be eligible for child care assistance.

MS *1997 Miss. Laws, Chap. 316*

Sec. 25 Requires department to seek federal funds to establish an entrepreneurial development program.

MS *1997 Miss. Laws, Chap. 316*

Sec. 3 Requires recipients to participate in work activities within 24 months or as determined by department. Exempts victims of domestic violence and recipients participating in a substance abuse treatment program. Defines work activities and participation requirements. Limits education to 12 months.

Sec. 3 Allows department to provide child care for recipients participating in work activities. Allows transitional child care up to 24 months.

Sec. 3 Allows department to provide transportation assistance to recipients who participate in work activities.

Sec. 3 Requires department to collaborate with the state personnel board to target state jobs for recipients.

MT *1997 Mont. Laws, HB 317*

Sec. 23 Requires caretaker relatives in the community service program to participate in a work activity after 24 months to receive an additional 36 months of assistance.

Sec. 40 and 43 Requires compliance with participation requirements set forth in PRWORA. Allows department to establish allowable work activities by rule.

Sec. 34 Exemption to work activities for recipients who do not have state-paid child care.

NE *1997 Neb. Laws, L. B. 864*

Sec. 3 Requires unemployed parents or needy caretakers to participate in work activities as condition of receiving benefits.

NV *1997 Nev. Stats., Chap. 394*

Requires agency coordination of job placement and other employment services for welfare recipients and employers.

NV *1997 Nev. Stats., Chap. 489*

Sec. 10. 5 Requires the department to employ a job development coordinator to promote job creation for welfare recipients.

Sec. 19 Requires recipients to participate in work activities as determined by department, not later than 24 months. Allows department to determine exemptions, including victims of domestic violence. Exemptions cannot exceed 12 months.

Sec. 24. 6 Requires the department to encourage public and private entities to provide jobs for recipients.

NJ *1997 N. J. Laws, Chap. 38*

Sec. 4 Allows commissioner to require labor commissioner to take responsibility for a recipient's work activity.

Sec. 7 Requires recipients to participate in a work activity within 24 months or as specified in responsibility contract. Requires recipients to comply with participation rate requirements specified in PRWORA. Exemption for parents of child under 12 weeks. Full benefit sanction for noncompliance.

NJ *1997 N. J. Laws, Chap. 38*

Sec. 8 Prohibits recipients participating in work activities from displacing existing workers.

Sec. 9 Denies eligibility to recipients who voluntarily quit a job.

Sec. 12 Specifies that participants in community service or alternative work experience are employees of the state.

NC *1997 N. C. Sess. Laws, SB 352*

Sec. 12.6 Establishes one-stop employment centers under the Department of Commerce. Provides for initial assessment. Establishes a 12-week job preparedness component. Establishes a job search component. Provides that recipient in job search for more than 12 weeks may be placed in community service program.

Provides for county work force development boards.

Requires state agencies to develop a plan to obtain federal welfare-to-work funds.

Sec. 12.25 Authorizes state agency to establish a sub-minimum wage for those who have been unemployed for at least 15 weeks and who receive family assistance or supplemental social security. Limits employment at sub-minimum wage to 52 weeks.

ND *1997 N. D. Sess. Laws, H 1226*

Sec. 76 Requires participation in work activities as specified in responsibility contract, exemptions for parent of child under 4 months of age or child under age 6 where child care is not available.

OK *1997 Okla. Sess. Laws, HB 2170*

Sec. 16 Requires an employability assessment. Requires a literacy screening for individuals who lack a diploma or GED.

OK *1997 Okla. Sess. Laws, HB 2170*

Sec. 3 Requires recipients to participate in a work activity within 24 months, exemptions for parent of child under age 1 for 12 months. Defines work activities and limits vocational education to 12 months.

Sec. 13 Allows department to contract for employment and training services.

RI *1997 R. I. Pub. Laws, Chap. 171*

Sec. 1 Defines work requirements and allowable work activities for two- parent families.

SC *1997 S. C. Acts, H 3650*

Sec. 12-6-3470 Grants a tax credit to employers who hire welfare recipients.

Sec. 43-5-1135 Requires all employers contributing to the state retirement program to target 10 percent of all jobs requiring a high school diploma or less to public assistance recipients. Requires an annual status report.

SD *1997 S. D. Sess. Laws, SB 259*

Sec. 4, 10, 11, 14 Allows department to determine required work activities and support services for welfare recipients.

VA *1997 Va. Acts, Chap. 563*

Sec. 1 Extends the Virginia Targeted Jobs Grant Program through taxable year 2000, providing up to $1,000 to employers who hire certain welfare recipients.

WA *1997 Wash. Laws, Chap. 58*

Sec. 310 Allows department to provide work activities or make referrals to noncustodial parents whose children receive public assistance and who are unable to make child support payments.

Sec. 313 Requires immediate participation in a work activity after completion of a job search. Requires assessment after completion of job search. Recipient portion of grant sanctioned for noncompliance. Exemption for recipient caring for child under age 1, child under age 6 and child care is unavailable or department fails to provide child care.

Sec. 317 Grants placement bonuses up to $500 for non-agency providers that successfully place recipients in employment. Percentage bonuses if position pays double minimum wage, provides benefits or child care, or if recipient is employed for 2 years. Allows department to provide bonuses to employees, offices and regions that are successful at selected performance outcomes.

Sec. 316 Allows department to enter into performance-based contract for employment services.

Sec. 315 Requires a Workfirst plan for each region in consultation with local employers, education providers, community organizations and others. Requires the department to provide models of successful work programs to local and regional offices.

Sec. 321 Requires department to promote entrepreneurial opportunities for recipients.

Sec. 326 Requires the establishment of community service and subsidized employment programs.

Sec. 405 Requires department to train 250 recipients to become child care providers. Requires these recipients to provide child care to other participant for two years following completion of training.

WY *1997 Wyo. Sess. Laws, Act 121*
Sec. 1 Exempts parent of a child under 3 months of age from work requirements.

Family Assistance - Family Cap/Child Exclusion

CO *1997 Colo. Sess. Laws, Chap. 234*
Sec. 26-2-706 Requires the department to study the affects of a family cap on a recipient achieving self-sufficiency.

GA *1997 Ga. Laws, SB 104*
Sec. 6 Denies an increment in benefits for recipients who have additional children while receiving assistance. Exempts victims of domestic violence.

MS *1997 Miss. Laws, Chap. 316*
Sec. 3 Denies an increment in benefits for recipients who have additional children; allows department to waive provision.

NJ *1997 N. J. Laws, Chap. 38*
Sec. 7 Denies an increment in benefits for recipients who have children while receiving assistance.

ND *1997 N. D. Sess. Laws, HB 1226*
Sec. 76 Denies an increase in benefits for recipients who have additional children.

OK *1997 Okla. Sess. Laws, HB 2170*
Sec. 9 Denies an increase in benefits for recipients who have additional children.

Family Assistance - Fraud

GA *1997 Ga. Laws, SB 104*
Sec. 4 Allows department to examine financial data relating to recipients accused of fraud.

HI *1997 Hawaii Sess. Act 200*
Sec. 4 Denies assistance to individuals found guilty of fraud by misrepresenting residence for a period of 10 years.

IL *1997 Ill. Laws, P. A. 90-17*
Sec. 5 Denies assistance for a period of 10 years for individuals who commit fraud by claiming residency in two places.

MS *1997 Miss. Laws, Chap. 316*
Sec. 21 Requires the department to develop a fraud hot line to report suspected welfare, food stamp and Medicaid fraud.

Family Assistance - General

AR *1997 Ark. Acts, Act 1058*

Sec. 4 Establishes advisory council to monitor implementation and evaluation of welfare reform. Sets membership and duties. Requires biannual reports.

Sec. 4 Requires department to develop a statewide implementation plan, defines criteria to be included in plan.

Sec. 4 Requires an independent evaluation of program; requires biannual reports. Defines performance measurements.

Sec. 4 Allows localities to organize coalitions and develop service delivery plans. Defines membership, procedures and criteria for submitting plans.

Sec. 4 Requires local coalitions to establish a business registry to register businesses that are committed to working with the coalition to hire recipients. Requires quarterly reporting of job openings, registered businesses and the number of recipients who have been hired.

AR *1997 Ark. Acts, Act 1058*

Sec. 8 Establishes the Temporary Employment Assistance (TEA) program to provide services to income-eligible families.

CO *1997 Colo. Sess. Laws, Chap. 234*

Establishes the Colorado Works Program as the replacement for AFDC.

Sec. 26-2-721 Establishes a reserve fund comprised of TANF block grants or state general funds for the purpose of administering Colorado Works. Requires annual appropriation by the General Assembly.

GA *1997 Ga. Laws, SB 104*

Sec. 6 Requires a detailed annual report to include information on the number of recipients who received transportation and diversionary assistance, the number of recipients denied assistance because of a violent felony, recipients affected by time limits and the number of recipients who received subsidized child care.

IL *1997 Ill. Laws, P. A. 90-17*

Sec. 4-12 Grants crisis assistance to family who is at risk of being evicted, deprived of food, shelter or clothing, or is a victim of left. Assistance granted only once in a 12-month period.

IA *1997 Iowa Acts, Chap. 41*

Sec. 12 Creates a separate Family Investment Account.

LA *1997 La. Acts, Act 1155*

Sec. 1 Establishes a Welfare Reform Coordinating Committee to oversee program and ensure agency cooperation. Defines membership and duties.

ME *1997 Me. Public Laws, Chap. 530*

Sec. 3790 Requires department to establish a state-funded Students as Scholars program to provide assistance with living expenses, medical assistance and transitional services for TANF-eligible individuals pursuing undergraduate two- or four- year degree programs.

Sec. A-16 Allows department to grant up to three months of assistance to divert applicants from becoming long-term recipients.

Sec. A-30 Establishes an advisory council to make recommendations about education and training and employment issues facing recipients. Defines membership and requires an annual report.

MS *1997 Miss. Laws, Chap. 316*
Sec. 23 Extends transitional Medicaid to 24 months.

Sec. 24 Established a task force to make recommendations for the development of an out-of-wedlock pregnancy prevention program.

Sec. 26 Requires the establishment of a teenage pregnancy prevention program to be administered in schools.

Sec. 20 Requires the implementation council to develop evaluation measures and to collaborate with the Department of Economic Development to develop jobs in areas where unemployment is over 10 percent.

NJ *1997 N. J. Laws, Chap. 15*
Sec. 8 Allows additional six months of emergency assistance for cases of extreme hardship. Assistance beyond six months limited to 10 percent of assistance units receiving rental assistance.

Sec. 4 Requires state and federal funds to be allocated to counties for case management and work activities.

NJ *1997 N. J. Laws, Chap. 38*
Sec. 2 Declares that a failure to qualify for welfare benefits is not a sufficient basis to remove a child from their family, or place the child in foster care.

OK *1997 Okla. Sess. Laws, HB 2170*
Sec. 6 Requires department to collaborate to develop a teen abstinence program.

RI *1997 R. I. Pub. Laws, Chap. 171*
Sec. 1 Allows catastrophic assistance funds to be distributed pending the establishment of regulations that explain how funds may be used.

Sec. 2 Establishes the individual development account pilot program and allows up to 30 participants. Disregards amounts deposited in IDA.

SC *1997 S. C. Acts, H 3650*
Sec. 43-5-24 Requires a contraception and family planning brochure to be given to all public assistance applicants.

WA *1997 Wash. Laws, Chap. 58*
Sec. 110 Requires food stamp recipients between the ages of 18 and 50 to participate in a work activity after three months.

WY *1997 Wyo. Sess. Laws, Act 121*
Sec. 5 Requires a feasibility study on establishing a student loan program.

Family Assistance - Income and Assets

GA *1997 Ga. Laws, SB 104*
Sec. 6 Requires department to establish rules regarding income and resources for determining eligibility. Requires department to establish an IDA and disregard any deposited funds.

IN *1997 Ind. Acts, HEA 1425*

Requires the establishment of individual development accounts. Requires deposits of $3 for every $1 deposited by individual. Limits IDAs to 800 accounts per year. Grants a tax credit for corporations who contribute amounts to the IDA.

IA *1997 Iowa Acts, Chap. 41*

Sec. 8 Disregards 20 percent of income for work expenses and 50 percent of earned income. Disregards value of car up to $3,889; amount to increase yearly according to the consumer price index. Disregards assets up to $2,000 for applicants and $5,000 for recipients and all amounts deposited in IDA's. Allows a day care deduction; department to specify amount.

ME *1997 Me. Public Laws, Chap. 530*

Sec. A-16 Disregards $150 and 50 percent of earned income and limits child care disregard to $175, or $200 for children with special needs. Disregards lump sum income up to $10,000.

MD *1997 Md. Laws, SB 499*

Sec. 1 Disregards 20 percent of earned income for applicants, and 25 percent of earned income for recipients in determining grant amount.

MN *1997 Minn. Laws, Chap. 85*

Sec. 12 Sets asset limit at $2,000 for applicants and $5,000 for recipients. Disregards value of a car up to $7,500. Disregards $30 and one-third of earned income for first four months, then $30 for eight consecutive months.

NE *1997 Neb. Laws, L. B. 864*

Sec. 13,15 Disregards 20 percent of earned incomes and allows $4,000 in assets, or $6,000 for two-parent families.

ND *1997 N. D. Sess. Laws, HB 1226*

Sec. 76 Disregards value of one car and assets up to $5,000 for single parent, $8,000 for two-parent household; counts assets in IDAs. Disregards all earned income for 12 months.

OK *1997 Okla. Sess. Laws, HB 2170*

Sec. 3 Disregards $120 and one-half of earned income, disregards value of auto up to $5,000, and disregards amounts deposited in IDA's up to $2,000.

SC *1997 S. C. Acts, H 3650*

Sec. 43-5-1200 Exempts one vehicle for each licensed driver and limits assets to $2,500.

WA *1997 Wash. Laws, Chap. 58*

Sec. 307 Requires the development of individual development accounts and disregards amount deposited for purpose of determining eligibility.

Sec. 307 Disregards 50 percent of earned income, exempts value of car up to $5,000 and disregards assets up to $3,000.

WY *1997 Wyo. Sess. Laws, Act 121*

Sec. 1 Disregards $400 of earned income for married couples; allows additional disregards. Disregards value of two vehicles up to $12,000 for married couples.

Family Assistance - Minor Parents

AR *1997 Ark. Acts, Act 1058*
Requires minor parents to live in adult-supervised setting and attend school.

GA *1997 Ga. Laws, SB 104*
Sec. 6 Requires minor parents to live in adult-supervised setting and to attend school. Requires pregnant teens to participate in prenatal care.

IA *1997 Iowa Acts, Chap. 41*
Sec. 11 Requires minor parents to live in adult-supervised setting and participate in a parenting class.

ME *1997 Me. Public Laws, Chap. 530*
Sec. A-16 Requires the state to provide education and services to minimize teenage pregnancy and focus attention on male involvement.

Sec. A-16 Requires minor parents to live in adult-supervised setting and attend school.

MN *1997 Minn. Laws, Chap. 85*
Sec. 10 Requires minor parents to live in adult supervised setting, unless minor parent has lived independently for one year prior to birth of child. Requires minor parents to attend school unless child care and transportation are not available.

MS *1997 Miss. Laws, Chap. 316*
Sec. 3 Requires minor parents to live in adult-supervised setting and attend school.

MT *1997 Mont. Laws, HB 0317*
Sec. 23 Requires minor parents to live in adult-supervised setting and attend school to receive assistance.

NJ *1997 N. J. Laws, Chap. 38*
Sec. 6 Requires minor parents to live in adult-supervised setting and attend school.

OK *1997 Okla. Sess. Laws, HB 2170*
Sec. 3 Requires minor parents to attend school and to live in an adult-supervised setting.

SC *1997 S. C. Acts, H 3650*
Sec. 43-5-1185 Requires minor parent recipients and certain welfare recipients to participate in a family skills training program.

WA *1997 Wash. Laws, Chap. 58*
Sec. 501, 503 Requires minor parents to live in adult-supervised setting and complete high school or GED.

WY *1997 Wyo. Sess. Laws, Act 121*
Sec. 1 Requires minor parents and children to attend school.

Family Assistance - Responsibility Contracts

AR *1997 Ark. Acts, Act 1058*
Requires responsibility contract to outline work activities and other recipient responsibilities.

CO *1997 Colo. Sess. Laws, Chap. 234*
Sec. 26-2-708 Requires department to establish an individual responsibility contract within 90 days of assessment. Sanction or termination for noncompliance.

IL *1997 Ill. Laws, P. A. 90-17*

Sec. 4-1 Requires a self-sufficiency plan that incorporates assessment. Assessment will incorporate screening for domestic violence and a referral to treatment. Sanction for noncompliance with terms of plan.

IA *1997 Iowa Acts, Chap. 41*

Sec. 3 Requires the development of a family investment agreement. Time limit on assistance to be specified in agreement.

ME *1997 Me. Public Laws, Act 530*

Sec. A-16 Requires the development of a family contract to define work activities and requirements. Allows home visits to review family contract.

MN *1997 Minn. Laws, Chap. 85*

Sec. 39 Requires the development of an employment plan to determine appropriate work activities and timetable for completion.

Sec. 39 Requires victims of domestic violence to develop a safety plan with the department or a nonprofit agency.

MS *1997 Miss. Laws, Chap. 316*

Sec. 3 Requires recipients to sign an employment plan detailing obligations to become or remain employed.

NV *1997 Nev. Stats., Chap. 489*

Sec. 17 Requires the establishment of a responsibility contract specifying recipient responsibilities. Sanction for noncompliance.

NJ *1997 N. J. Laws, Chap. 38*

Sec. 8 Requires a responsibility contract outlining recipient responsibilities, including requiring parent participation in child's school program.

ND *1997 N. D. Sess. Laws, HB 1226*

Sec. 76 Requires the development of a responsibility contract outlining recipient obligations.

OK *1997 Okla. Sess. Laws, HB 2170*

Sec. 16 Requires the development of a responsibility contract to outline employment and training requirements, including participation in a life skills class related to financial management, conflict resolution and social skills.

WA *1997 Wash. Laws, Chap. 58*

Sec. 313 Requires recipients to complete a responsibility contract that outlines obligations and timeframe for completing work activities, and the support services available to them.

Family Assistance - School Attendance Requirements

AR *1997 Ark. Acts, Act 1058*

Requires minor parents to attend school.

FL *1997 Fla. Laws, Chap. 97-173*

Sec. 13 Sanctions parents of school age children who do not attend required school conferences.

GA *1997 Ga. Laws, SB 104*

Sec. 6 Requires teen parents to attend school.

GA *1997 Ga. Laws, SB 104*

Sec. 7 Requires the establishment of 10 pilot programs that require school attendance for all teens. Teen portion of grant sanctioned for noncompliance.

IL *1997 Ill. Laws, P. A. 90-17*

Sec. 4-1 Requires dependents age 18 or over to attend school or vocational and technical training.

IA *1997 Iowa Acts, Chap. 174*

Requires parents of children who receive public assistance to ensure school attendance and completion of the sixth grade. Allows grant reduction for failure to comply. Allows county attorney to bring a civil action against parents who fail to comply. Imposes a penalty between $100 and $1,000 if found guilty.

IA *1997 Iowa Acts, HF 597*

Requires parents of children receiving public assistance to ensure school attendance and completion of the sixth grade. Failure to comply can result in reduction of grant. Allows county attorney to bring a civil action against a parent who fails to comply. Imposes a penalty between $100 and $1,000 if found guilty.

LA *1997 La. Acts, Act 1155*

Sec. 1 Requires adult recipients to ensure minor children attend school. Sanction for noncompliance. Requires recipient to provide documentation of school attendance records during recertification.

ME *1997 Me. Public Laws, 530*

Sec. A-16 Requires minor parents to attend school; no exemption for age of youngest child.

MS *1997 Miss. Laws, Chap. 316*

Sec. 3 Requires minor parents and school-age children to attend school. Sanction of 25 percent of grant for children between the ages of 6 and 12; full sanction for children over 12.

MT *1997 Mont. Laws, HB 317*

Sec. 23 Requires minor parents to attend school as a condition of eligibility.

NV *1997 Nev. Stats., Chap. 489*

Sec. 9 Requires parents to ensure that children between the ages 7 and 12 will advance to the next grade level in school.

NJ *1997 N. J. Laws, Chap. 38*

Sec. 8 Requires all minor children to attend school. Full benefit sanction for noncompliance.

ND *1997 N. D. Sess. Laws, HB 1226*

Sec. 76 Requires minor parents and school-age children to attend school. Sanction for parents who fail to ensure children attend school.

OK *1997 Okla. Sess. Laws, HB 2170*

Sec. 3 and 4 Requires minor parents to attend school. Sanctions parents who do not ensure their school-age children attend school.

OK *1997 Okla. Sess. Laws, HB 2170*

Sec. 17 Requires school attendance by all school-age children.

Family Assistance - Substance Abuse

AR *1997 Ark. Acts, Act 1058*
Sec. 16 Denies assistance to drug felons with convictions of distribution or manufacture of a controlled substance.

HI *1997 Hawaii Sess. Act 128*
Sec. 2 Denies assistance to drug felons unless participating in a treatment program.

IL *1997 Ill. Laws, P. A. 90-17*
Sec. 5 Denies assistance to individuals convicted of Class X or Class 1 felonies, or similar federal crime involving possession, use or distribution of a controlled substance. Other drug felons are ineligible for 2 years unless participating in a treatment program.

IA *1997 Iowa Acts, Chap. 41*
Sec. 6 Denies benefits to drug felons unless participating in a treatment program.

MD *1997 Md. Laws, SB 499*
Sec. 1 Requires annual screening for substance abuse and mandates treatment for substance abuse. Allows a temporary exemption from work requirements to complete treatment program.

MN *1997 Minn. Laws, Chap. 85*
Sec. 16 Denies cash assistance to drug felons convicted after July 1, 1997; allows vendor payments for shelter and utilities.

MT *1997 Mont. Laws, HB 317*
Sec. 23 Denies assistance to drug felons convicted after August 22, 1996.

NV *1997 Nev. Stats., Chap. 489*
Sec. 21 Denies assistance to drug felons unless participating in a treatment program.

NJ *1997 N. J. Laws, Chap. 14*
Sec. 7 Denies assistance to drug felons. Drug felons convicted of use or possession can receive assistance if participating in a treatment program. Requires recipients to submit to drug testing in the first 60 days following completion of treatment program.

OK *1997 Okla. Sess. Laws, HB 2170*
Sec. 10 Requires a study to determine the extent to which substance abuse interferes with a recipient's employment.

RI *1997 R. I. Pub. Laws, Chap. 171*
Sec. 1 Denies benefits to drug felons.

WA *1997 Wash. Laws, Chap. 58*
Sec. 101 Requires participation in a treatment program if determined to have a substance abuse problem. Denies assistance to drug felons convicted after August 22, 1996, unless participating in a treatment program and must not have conviction involving use or possession within three years of current conviction.

Family Assistance - Time Limits

AR *1997 Ark. Acts, Act 1058*

Sec. 11 Establishes a 24-month time limit with limited exemptions that begins July 1, 1998.

CO *1997 Colo. Sess. Laws, Chap. 234*

Sec. 26-2-716 Allows counties to apply for hardship exemptions to the 60-month limit established under federal law.

GA *1997 Ga. Laws, SB 104*

Sec. 6 Limits assistance to 48 months with exemptions for hardship and domestic violence.

HI *1997 Hawaii Sess. Act 200*

Sec. 5 Limits assistance to 60 months.

IL *1997 Ill. Laws, P. A. 90-17*

Sec. 4-1. 12 Limits assistance to 60 months. Department can determine extensions or exemptions.

LA *1997 La. Acts, Act 1155*

Sec. 1 Limits assistance to 24 out of 60 months. Extensions for hardship or to complete education and training.

MN *1997 Minn. Laws, Chap. 85*

Sec. 32, 40 Limits cash assistance to 60 months; excludes victims of domestic violence while complying with a safety plan. Requires oral and written communication to recipients about time limit.

Sec. 70 Requires a feasibility study on establishing an exception to the 60-month time limit for families with employed individuals.

MS *1997 Miss. Laws, Chap. 316*

Sec. 3 Limits assistance to 60 months with good cause exemptions.

MT *1997 Mont. Laws, HB 0317*

Sec. 23 Limits assistance to 60 months with exemptions for hardship or for victims of domestic violence.

NV *1997 Nev. Stats., Chap. 489*

Sec. 23 Limits assistance to 24 months, followed by a 12-month prohibition. Twelve month extension available for hardship, including victims of domestic violence. Lifetime limit of 60 months.

NJ *1997 N. J. Laws, Chap. 37*

Sec. 2 Limits assistance to 60 months, with two six-month extensions if recipient has been cooperative with finding employment.

NC *1997 N. C. Sess. Laws, SB 352*

Sec. 12. 6 Limits the receipt of cash assistance to 24 months cumulative. Recipients may reapply 36 months after the last payment. County-option systems may set any time limit on benefits as long as they do not exceed federal limits.

ND *1997 N. D. Sess. Laws, HB 1226*

Sec. 76 Limits assistance to 60 months, exemptions up to 20 percent of caseload.

OK *1997 Okla. Sess. Laws, HB 2170*

Sec. 2 Limits assistance to five years.

RI *1997 R. I. Pub. Laws, Chap. 171*

Sec. 1 Establishes hardship exemption to 60-month time limit, limits exemption to 20 percent.

Sec. 2 Requires screening for domestic violence. Exempts victims of domestic violence from time limits, residency, child support cooperation and work requirements.

WA *1997 Wash. Laws, Chap. 58*

Sec. 101 Limits assistance to 60 months, exemptions for hardship or domestic violence. Exemptions not to exceed 20 percent of caseload. Exemption does not apply until recipient has received 52 months of assistance.

WY *1997 Wyo. Sess. Laws, Act 121*

Sec. 1 Combines time spent receiving federal and state assistance in reaching time limits. Specifies time limit exceptions for nonparent caretaker relatives and exemptions for disabled people and their caretakers. Exempts victims of domestic violence from time limits or other requirements for two years.

General Assistance

HI *1997 Hawaii Sess. Act 200*

Sec. 7 Limits the allowance to 62.5 percent of the standard of need.

IL *1997 Ill. Laws, P. A. 90-17*

Sec. 4-22 Denies eligibility for general assistance to people or families whose TANF eligibility expires due to time limits. Allows department to grant eligibility by rule.

YOUTH AT RISK

Curfew

AK *1997 Alaska Sess. Laws, Chap. 72*
Grants district court jurisdiction over curfew violations. Allows the court to impose community work in place of paying a fine.

DE *Vol. 71 Del. Laws, HB 12*
Sec. 1 Gives concurrent jurisdiction to family and municipal courts for curfew violation proceedings.

IL *1997 Ill. Laws, P. A. 89-683*
Sec. 5 Imposes a fine on a curfew violator with certain exceptions. Allows the court to order certain curfew violators, their parents or guardians to perform community service.

MS *1997 Miss. Laws, SB 2510*
Sec. 8 Requires the state to disclose all information regarding a previous youth court intake that alleges a child was delinquent, in need of supervision or special care, truant, abused or neglected.

WA *1997 Wash. Laws, SB 5578*
Sec. 2 Requires law enforcement to retain custody of a child until an officer transfers custody to a person or authorized entity, or releases the child because no placement is available. Makes custody transfer incomplete unless the receiving person or entity agrees to accept custody.

General/Administration

AZ *1997 Ariz. Sess. Laws, Chap. 220*
Sec. 105 Appropriates $1 million for summer youth employment and training programs for at-risk youth.

AR *1997 Ark. Acts, Act 885*
Repeals the requirement that the state operate therapeutic group homes for at-risk youths.

IL *1997 Ill. Laws, P. A. 90-247*
Establishes a personal development and leadership program for economically disadvantaged youth at-risk aged 16 to 24. Outlines program and eligibility requirements.

ME *1997 Me. Public Laws, Chap. 530*
Sec. A-16 Requires the state to provide education and services to minimize teenage pregnancy and focus attention on male involvement.

MD *1997 Md. Laws, Chap. 557*
Requires the state to notify the parent of a minor charged with speeding 20 miles per hour over the limit.

MT *1997 Mont. Laws, Chap. 550*
Sec. 13 Defines "habitual truancy," "running away from home," and "youth assessment center."

TN *1997 Tenn. Pub. Acts, Chap. 478*

Creates a pilot program for group therapeutic homes for at-risk children, including foster care and group homes that address the needs of mildly disturbed youth.

TX *1997 Tex. Gen. Laws, Chap. 1209*

Creates the Youthworks Program to promote economic self-sufficiency of disadvantaged or at-risk youth and to create opportunities for communities to build affordable housing and restore community parks.

UT *1997 Utah Laws, HB 164*

Sec. 1 Modifies the membership of the Families, Agencies, and Communities Together state council.

Missing/Runaway

AL *1997 Ala. Acts, Act 97-416*

Sec. 1 Changes the name "Missing Children Bureau" to "Alabama Center for Missing and Exploited Children Bureau." Requires the state board of education to collect the names, birthdates and social security numbers of new students.

CO *1997 Colo. Sess. Laws, HB 1079*

Sec. 1 Expands the definition of harboring a minor. Allows a minor to reside at a shelter licensed by a child care facility for up to two weeks after intake.

Sec. 2 Allows a law enforcement officer to take a youth into temporary custody without a court order under certain circumstances. Permits licensed child care facilities and licensed homeless youth shelters to provide both crisis intervention services and alternative residential services to homeless youth. Establishes procedures for notification of parent or law enforcement. Authorizes county departments of social services to establish family reconciliation services programs for homeless youth or family members in conflict.

CT *1997 Conn. Acts, P. A. 253*

Requires the juvenile court to create a separate docket to include petitions from parents who ask for court supervision for runaway children under age 16 or for parents who feel they cannot control their children.

IA *1997 Iowa Acts, Chap. 90*

Authorizes county treatment plans and outlines assessment and treatment procedures for chronic runaways.

ME *1997 Me. Public Laws, Chap. 468*

Requires law enforcement to notify a child's school and the municipality in which the child's birth records are kept when a child is considered a victim or possible victim of kidnapping or criminal restraint. Requires those agencies to notify law enforcement when a person or organization requests the missing child's records.

MT *1997 Mont. Laws, Chap. 550*

Sec. 13 Defines "habitual truancy," "running away from home," and "youth assessment center."

TN *1997 Tenn. Pub. Acts, Chap. 342*

Creates a state missing children registry and requires placing pictures and information on the state's Internet home page.

TX *1997 Tex. Gen. Laws, Chap. 51*

Expands the definition of "missing child" to include children taken in violation of a court order; permits law enforcement agencies to enter these children into federal and state missing person systems.

TX *1997 Tex. Gen. Laws, Chap. 771*

Clarifies the language related to the reporting of missing children to the National Crime Information Center by local law enforcement agencies.

TX *1997 Tex. Gen. Laws, Chap. 1084*

Requires notification of each school and day-care facility of a missing child who, at one time, was enrolled in that facility. Specifies additional requirements of law enforcement agencies regarding notification in missing child situations.

Requires a school to collect certain background information for enrollees under age 11. Requires schools to notify law enforcement agencies if parents or guardians fail to supply any of this information to school officials.

TX *1997 Tex. Gen. Laws, Chap. 1427*

Expands the "missing child" definition to include when the child is taken in violation of court-ordered custody.

UT *1997 Utah Laws, HB 4*

Sec. 3, 4 Establishes a statewide central registry for missing persons.

WA *1997 Wash. Laws, SB 5578*

Sec. 2 Requires law enforcement to retain custody of a child until an officer transfers custody to a person or authorized entity, or releases the child because no placement is available. Makes custody transfer incomplete unless the receiving person or entity agrees to accept custody.

WV *1997 W. Va. Acts, Chap. 136*

Establishes a missing children information clearinghouse. Describes law enforcement procedures upon receiving a missing child report and allows law enforcement access to dental records of a missing child. Requires interagency cooperation and makes all records confidential. Creates a clearinghouse advisory council related to missing or exploited children.

School Policies/Truancy

AZ *1997 Ariz. Sess. Laws, Chap. 220*

Sec. 78 Eliminates joint legislative committee on school safety and creates a school safety program oversight committee charged with reviewing plans submitted by applicants for participation in the program and [charged with] providing a proactive approach to prevent juvenile referrals and incarceration. Requires the Department of Education to fund the cost of assigning a peace officer to each school in a county that participates in the safe schools program and the cost of juvenile probation officers that may be assigned.

Sec. 105 Appropriates $1 million from general fund to assist Department of Education in implementing the safe schools program.

AR *1997 Ark. Acts, Act 230*

Sec. 1 Requires the school district to determine reasons why a student leaves school and allows it to share such information with other government agencies.

AR *1997 Ark. Acts, Act 706*

Sec. 1 Addresses school district discipline policies regarding students who assault others.

AR *1997 Ark. Acts, Act 742*

Sec. 1 Allows the school district to suspend or expel any student who violates written discipline policies. Permits a teacher or administrator to suspend a student for a maximum of 10 days for violating discipline policies, subject to appeal.

AR *1997 Ark. Acts, Act 1243*

Sec. 1 Requires the school district to report violent crime by a student to local law enforcement.

AR *1997 Ark. Acts, Act 1308*

Sec. 1 Clarifies the procedures for compliance with student truancy laws.

AR *1997 Ark. Acts, Act 1346*

Sec. 1 Requires the Department of Education to create a Safe Schools Committee and specifies certain responsibilities.

CT *1997 Conn. Acts, P. A. 253*

Requires the juvenile court to create a separate truancy docket to include petitions from parents who ask for court supervision for runaway children under age 16 or for parents who feel they cannot control their children.

FL *1997 Fla. Laws, HB 1309*

Sec. 1 Requires each school district board to establish an attendance policy and criteria to determine whether a student's absence or tardiness is excused or unexcused.

Sec. 9 Requires public schools to notify the district school board of each minor who accumulates 15 unexcused absences in a period of 90 days.

Sec. 11 Requires the court to give notice to the school if the court takes action that directly involves a child's school, including an order that a student attend school, attend with a parent or guardian, perform at grade level or perform community service at the school.

Sec. 15 Prohibits the state from issuing a driver's license or learner's permit to anyone under age 18 who does not comply with school attendance requirements.

Sec. 16 Requires the state to notify a minor and her or his parents of the state's intent to suspend the minor's driving privileges due to noncompliance with school attendance. Gives the minor or the parent 15 days after the date of receipt of notice to provide proof of compliance or to request a hardship waiver hearing.

Sec. 18 Requires each school district to adopt a policy of zero tolerance for crime and substance abuse, which includes reporting of delinquent acts and crimes of juveniles under the school district jurisdiction.

Sec. 27 Requires a juvenile on community control who is a public school student to attend a public adult education program or a dropout prevention program unless the school principal determines that the juvenile should continue in the regular school program.

GA *1997 Ga. Laws, SB 50*

Sec. 1 Requires the education department to provide enrichment activities to middle-school-age children during nonschool hours to try to reduce juvenile crime and other delinquent activities.

GA *1997 Ga. Laws, HB 180*

Sec. 1 Requires a transferring student who applies for seventh grade and higher to submit an academic transcript and disciplinary record from the school previously attended.

GA *1997 Ga. Laws, HB 567*

Sec. 1, 2 Enacts the School Safety Act. Requires the court to notify the school system when a student age 17 or older is convicted of a felony.

Sec. 3 Requires the court to notify the school when a child between the ages of 13 and 17 is convicted of certain offenses.

HI *1997 Hawaii Sess. Act 141*

Allows school suspension of a child who possesses a dangerous weapon, intoxicating liquor or illicit drugs.

IL *1997 Ill. Laws, P. A. 380*

Allows the court to impose certain penalties on a chronic truant only if the minor was offered a truancy prevention program.

IL *1997 Ill. Laws, P. A. 89-610*

Sec. 5 §10-22.6 Allows the school board to expel a student for not less than one year if she or he brings a weapon to school or any school-related event. Allows school authorities to inspect and search school property and school-owned equipment without notice to students or a search warrant.

IN *1997 Ind. Acts, SEA 400*

Sec. 4 Establishes a school placement review committee that may recommend application denials or dismissals.

IA *1997 Iowa Acts, Chap. 126*

Sec. 39 Requires schools to adopt rules that require notification of juvenile court officers of a student's unexcused absence, suspension or expulsion, once the school officials have been notified that the student is under supervision or has been placed on probation.

IA *1997 Iowa Acts, Chap. 174*

Requires parents of children who receive public assistance to ensure school attendance and completion of the sixth grade. Allows grant reduction for failure to comply. Allows county attorney to bring a civil action against parents who fail to comply. Imposes a penalty between $100 and $1,000 if found guilty.

KS *1997 Kan. Sess. Laws, Chap. 157*

Sec. 1 Requires each child between the ages of 7 and 18 who has not attained a high school diploma or GED credential to attend a public or private school each year. Allows exempting a child age 16 or 17 from compulsory attendance under certain circumstances.

ME *1997 Me. Public Laws, Chap. 298*

Allows a school to expel a student who possesses a dangerous weapon on school property without the permission of a school official.

MS *1997 Miss. Laws, SB 1236*

Sec. 1 Allows the education department to conduct a pilot program with the use of video camera equipment as part of the school violence prevention grant program. Permits any local school district to use video camera equipment in classrooms to monitor school disciplinary problems.

MT *1997 Mont. Laws, Chap. 435*

Makes it a criminal offense to carry, possess or store a weapon in a school building. Makes it an offense for a parent or guardian to permit a minor to carry, possess or store a weapon in a school building.

MT *1997 Mont. Laws, Chap. 450*

Requires notification of school officials when a student is adjudicated in the juvenile system for a second offense. Prohibits making such records part of a student's permanent school records.

MT *1997 Mont. Laws, Chap. 550*

Sec. 13 Defines "habitual truancy," "running away from home," and "youth assessment center."

NV *1997 Nev. Stats., File No. 128*

Urges school districts to develop and adopt policies for disciplining pupils to ensure a healthy and safe learning environment, free from violence and other criminal activity.

NV *1997 Nev. Stats., Chap. 158*

Sec. 8, 9 Requires notifying certain school officials about juveniles who have committed sexual offenses. Prohibits a juvenile sex offender from attending the same school as the victim, except under certain circumstances.

Sec. 10 Permits the court to approve an alternative attendance plan for a child adjudicated delinquent for a sexual offense.

NV *1997 Nev. Stats., Chap. 353*

Enhances the penalty for gross misdemeanors that are committed on public or private school property, on a school bus or at a bus stop.

NV *1997 Nev. Stats., Chap. 386*

Requires a court to provide certain information to a school district about a pupil who unlawfully caused or attempted to cause serious bodily injury to another person.

NV *1997 Nev. Stats., Chap. 522*

Sec. 16 Requires school districts to inform parents that parents and students are required to comply with state statutes governing attendance and truancy.

Sec. 22 Specifies the criteria when a student may be deemed a habitual disciplinary problem. Requires expelling a habitual disciplinary problem student for at least one semester when certain crimes are committed.

NV *1997 Nev. Stats., Chap. 583*

Sec. 7 Requires the principal of a school to report to the appropriate local law enforcement agency the name of any enrolled habitual truant pupil.

NJ *1996 N. J. Laws, Chap. 94*

Allows a student who is a volunteer on a rescue squad to possess a pager at school.

RI *1997 R. I. Pub. Laws, SB 31*

Sec. 1 Establishes a regional juvenile hearing board to hear all cases referred by the juvenile division of the police department regarding youth who are charged with violating criminal or compulsory attendance laws.

TN *1997 Tenn. Pub. Acts, Chap. 215*

Requires education commissioner to report, annually, information on student suspensions, expulsions and dropouts. Urges local education agencies to develop and implement action plans to address dropout situations among African-Americans.

TN *1997 Tenn. Pub. Acts, Chap. 518*

Authorizes the state's model dropout prevention program.

TX *1997 Tex. Gen. Laws, Chap. 865*

Expands number of programs in which a court may order a truant youth to participate. Permits county and municipal courts to handle truancy cases.

TX *1997 Tex. Gen. Laws, Chap. 1015*

Applies the state's compulsory school attendance law to expelled students. Requires placement of expelled students in juvenile justice and alternative education programs. Clarifies notice requirements between law enforcement and school officials. Permits expulsion hearings to continue without attendance of an expelled student's parents. Requires school districts to report annually on expelled students and alternative education programs.

TX *1997 Tex. Gen. Laws, Chap. 1233*

Clarifies the offenses for which law enforcement officials are required to notify school officials when a student is arrested.

VA *1997 Va. Acts, Chap. 210*

Permits the court to consider the report of an interdisciplinary team in truancy cases before to determining that a child is in need of services.

VA *1997 Va. Acts, Chap. 371*

Authorizes suspending or expelling any student adjudicated delinquent or convicted of a Drug Control Act offense. Requires the court to notify school superintendents when a student has been adjudicated or convicted of an offense involving marijuana. Permits suspension or expulsion for offenses that occurred off school grounds.

VA *1997 Va. Acts, Chap. 391*

Permits school regulation of pagers or other portable communication devices on school property or used by students who attend school functions.

VA *1997 Va. Acts, Chap. 408*

Requires school boards to permit student victims of crimes on school grounds to transfer to another comparable school within the school division.

VA *1997 Va. Acts, Chap. 608*

Permits school boards to eliminate a review and appeal for suspensions of 10 days or less. Gives the superintendent or a designee the final authority in such cases. Shifts authority from school board to the school superintendent in a variety of suspension situations.

VA *1997 Va. Acts, Chap. 655*

Creates the Innovative Remedial Education Program, including 10 pilot programs for students identified as educationally at-risk.

VA *1997 Va. Acts, Chap. 728*

Lists offenses and violations for which a student can be expelled, including students who have been suspended for more than 30 days. Gives notice and hearing requirements for such students.

VA *1997 Va. Acts, Chap. 734*

Gives school boards authority to create a committee to confirm or disapprove expulsion of students. Permits appeal to the full school board if the committee's expulsion decision is not unanimous.

VA *1997 Va. Acts, Chap. 830*

Gives teachers initial authority to remove disruptive students under certain circumstances. Establishes requirements for school board include standards that regulate governing student conduct. Ensures due process for suspensions and expulsion with these changes in authority.

Status Offenders/CHINS

AZ *1997 Ariz. Sess. Laws, Chap. 222*
Sec. 7 Establishes venue for juvenile proceedings.

AR *1997 Ark. Acts, Act 1118*
Sec. 5 Allows detaining an adjudicated FINS for violation of a court order.

FL *1997 Fla. Laws, SB 278*
Allows placing a CHINS, runaway or ungovernable youth in a 90-day staff secure facility under certain conditions. Permits parents to file a petition to request the court to declare a youth a CHINS. Allows the court to withhold or suspend a minor's driver's license for contempt. Permits the court to place a youth in contempt into a physically secure facility when certain conditions are met.

GA *1997 Ga. Laws, SB 132*
Sec. 6 (b) Allows the juvenile court to order an unruly child to pay certain supervision fees.

ID *1997 Idaho Sess. Laws, SB 1106*
Sec. 1 Authorizes the court to sentence a juvenile to detention for not more than 30 days for a status offense.

Sec. 1 Authorizes the court to sentence a juvenile to detention for not more than 30 days for a juvenile status offense.

IN *1997 Ind. Acts, SEA 400*
Sec. 1 Requires the state to provide probation departments with training and technical assistance related to special education services and programs for CHINS. Allows the probation department training to be provided jointly with training for child welfare caseworkers related to the same subject.

Sec. 13 Requires the probation department to maintain information related to delinquent children and CHINS who receive juvenile law services.

Sec. 24 Requires each county to develop a community services plan for early intervention to provide services targeted to CHINS or at-risk CHINS. Requires each county to establish a team to develop a plan. Requires the juvenile court and local child protection services to consider and use any available services described in an early intervention plan.

Sec. 37 Repeals the requirement that the department of health must conduct a fiscal study of the special education institutions under the department's authority and alternatives available at non-state facilities with respect to CHINS and delinquent children.

MN *1997 Minn. Laws, S. F. 1908*
Sec. 30 Authorizes a pilot program to create juvenile assessment centers for children who are accused of committing delinquent acts, status offenders or children who allegedly were victims of abuse or neglect.

MS *1997 Miss. Laws, SB 2510*
Sec. 8 Requires the state to disclose all information regarding a previous youth court intake that alleges a child was delinquent, in need of supervision or special care, truant, abused or neglected.

MT *1997 Mont. Laws, HB 100*
Permits the revocation and confiscation of a youth's drivers license if a youth is adjudicated delinquent or in need of supervision or intervention.

MT *1997 Mont. Laws, Chap. 550*

Sec. 20 Defines "youth assessment" and under what conditions an assessment is required. Clarifies what information should be obtained and determined as result of an assessment.

ND *1997 N. D. Sess. Laws, Chap. 138*

Sec. 3 Requires keeping records and files of a child alleged or found to be delinquent, unruly or deprived separate from adult arrest records.

OH *1997 Ohio Laws, HB 265*

Sec. 2151.312(C) Prohibits holding in certain facilities an allegedly or adjudicated neglected child, or an abused, dependent or unruly child, or a juvenile traffic offender.

Sec. 2151.331 Allows detaining an allegedly or adjudicated abused, neglected, dependent, or unruly child, or a juvenile traffic offender in a certified family foster home for a certain amount of time.

TN *1997 Tenn. Pub. Acts, Chap. 465*

Outlines what a court can order a parent to do when his or her child commits an unruly or delinquent act. Allows the court to compel participation in juvenile's program, treatment or community service, and to fine or incarcerate the parent or legal guardian if he or she refuses or fails to comply.

VA *1997 Va. Acts, Chap. 210*

Permits the court to consider the report of an interdisciplinary team in truancy cases before determining that a child is in need of services.

VA *1997 Va. Acts, Chap. 862*

Permits an intake officer to proceed informally on a CHINS/CHINSUP or delinquent juvenile if there was no violent felony or previous adjudication involved.

WA *1997 Wash. Laws, SB 5578*

Sec. 2 Requires law enforcement to retain custody of a child until an officer transfers custody to a person or authorized entity, or releases the child because no placement is available. Makes custody transfer incomplete unless the receiving person or entity agrees to accept custody.

Sec. 3 Authorizes the social services department to place an at-risk youth in an out-of-home placement for up to 72 hours, after which a CHINS petition must be filed if the parent has not taken the child from the placement.

WV *1997 W. Va. Acts, Chap. 54*

Requires the state to provide services to status offenders to develop skills and supports within families and to resolve problems and conflicts. Deletes the requirement that rehabilitative facilities for status offenders may be used as temporary facilities for unmanageable juvenile offenders.

WY *1997 Wyo. Sess. Laws, HB 137a*

Sec. 1 Gives the juvenile court jurisdiction over all matters and proceedings concerning certain minors and parents of minors who are delinquent, neglected or in need of supervision.

WY *1997 Wyo. Sess. Laws, HB 145*

Sec. 1 Excludes from the definition of status offense violations of municipal ordinances that are similar to underage drinking statutes to allow sentencing a juvenile to detention facilities if the ordinance provides for imprisonment.

1997 State Legislative Summary
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